



The Gazette of India

PUBLISHED BY AUTHORITY

No. 10]

NEW DELHI, SATURDAY, MARCH 8, 1952

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 4th March 1952 :—

Issue No.	No. and date	Issued by	Subject
43	S. R. O. 280, dated the 19th February 1952.	Ministry of Law.	The Constitution (Removal of Difficulties) Order No. IX.
44	S. R. O. 332, dated the 26th February 1952.	Ministry of Food and Agriculture.	Notification regarding prohibition of export of mustard oil and mustard seed from the State of Assam.
45	S. R. O. 333, dated the 27th February 1952.	Ministry of Commerce and Industry.	Further amendment made in the Notification No. S. R. O. 1693, dated 21st November 1951.
	S. R. O. 334, dated the 27th February 1952.	Ditto.	Further amendment made in the Notification No. S. R. O. 1618, dated 20th October 1951.
46	S. R. O. 334-A, dated the 27th February 1952.	Ministry of Law.	Extension of time for election of members to the Parliamentary Constituencies in the State of Uttar Pradesh.
47	S. R. O. 382, dated the 28th February 1952.	Ministry of Commerce and Industry.	Extension of permission for a further period of one month regarding newsprint.
48	S. R. O. 383, dated the 29th February 1952.	Ministry of States.	Directives issued by the President regarding Lieutenant Governors of Vindhya Pradesh and Himachal Pradesh.
	S. R. O. 384, dated the 29th February 1952.	Ditto.	Substitution of words "Lieutenant Governors" for Chief Commissioner in the States of Vindhya Pradesh and Himachal Pradesh wherever they occur.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi, the 27th February 1952

S.R.O. 390.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Ajmer the Punjab Security of the State (Amendment) Act, 1951 (President's Act III of 1951), [hereinafter referred to as the said Act] as at present in force in the State of Punjab subject to the following modification, namely:—

Modification

For section 2 of the said Act, the following section shall be substituted, namely:—

"2. *Amendment of section 1, President's Act I of 1951.*—In section 1 of the Punjab Security of the State Act, 1951 [hereinafter referred to as the principal Act] as in force in the State of Ajmer the following new sub-section shall be added after sub-section (2), namely:—

'(3) It shall remain in force up to the 12th day of September, 1953'."

The text of the said Act as so modified is published as annexure I to this notification and the text of the Punjab Security of the State Act, 1951 (President's Act I of 1951), which was extended to the State of Ajmer by the notification of the Government of India in the Ministry of Home Affairs No. SRO-1591, dated the 14th October, 1951, as amended by the said Act as so modified is published as annexure II to this notification.

ANNEXURE I.**THE PUNJAB SECURITY OF THE STATE (AMENDMENT) ACT, 1951**

PRESIDENT'S ACT NO. III OF 1951

An Act to amend the Punjab Security of the State Act, 1951

[11th November, 1951]

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLVI of 1951), the President is pleased to enact as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Punjab Security of the State (Amendment) Act, 1951.

(2) It shall come into force at once.

2. *Amendment of Section 1, President's Act I of 1951.*—In Section 1 of the Punjab Security of the State Act, 1951 (hereinafter referred to as the principal Act) as in force in the State of Delhi, the following new sub-section shall be added after sub-section (2), namely:—

"(3) It shall remain in force up to the 12th day of September, 1953."

3. *Amendment of section 2, President's Act I of 1951.*—In section 2 of the principal Act,—

- (a) in sub-section (1), the words "impair the efficiency or" shall be omitted;
- (b) in sub-section (3), for the words "reason to believe", the words "reasonable grounds for believing" shall be substituted;
- (c) in sub-section (4), for the word "three", the word "two" shall be substituted.

4. *Amendment of section 3, President's Act I of 1951.*—In section 3 of the principal Act,—

- (a) in sub-section (1), for the words "organised and trained or organised and equipped either for the purpose of enabling them to be employed for the use of display of force or in such manner as to arouse reasonable apprehension that they are organised and either trained or equipped for that purpose", the words "for the unauthorised use or display of force" shall be substituted;

(b) in sub-section (2), for the words "two years", the words "one year" shall be substituted.

5. Amendment of section 4, President's Act I of 1951.—In section 4 of the principal Act:—

- (a) for the word "practice", the words "unauthorised practice" shall be substituted;
- (b) for the words "preparation for the use", the words "preparation for the organised use" shall be substituted.

6. Amendment of section 5, President's Act I of 1951.—In section 5 of the principal Act,—

- (a) in sub-section (1)—
 - (i) the words "make or" shall be omitted;
 - (ii) for the words "a movement prejudicial to the security of the State or the maintenance of public order", the words "any organisation declared unlawful by the Government" shall be substituted;
- (b) in sub-section (3), for the words, figure and brackets "contravenes the provisions of sub-section (1)", the words "publicly wears, carries or displays any such uniform, flag, banner or emblem" shall be substituted.

Amendment of section 6, President's Act I of 1951.—In section 6 of the principal Act,—

- (a) after the words "by order in writing", the words "from time to time" shall be inserted;
- (b) for the words "during such period", the words "for such period not exceeding two months" shall be substituted;
- (c) the Explanation shall be omitted.

8. Amendment of section 7, President's Act I of 1951.—In sub-section (1) of section 7 of the principal Act,—

- (a) for the words, "the interests of the general public", the words "the security of the State or the maintenance of public order" shall be substituted.
- (b) in clause (d)—
 - (i) the words "or do both," shall be omitted;
 - (ii) for the words "authority or person", the word "magistrate" shall be substituted.

9. Amendment of section 8, President's Act I of 1951.—In section 8 of the Principal Act,—

- (a) In sub-section (1)—
 - (i) in clause (a), the words "or on premises in his occupation or under his control" shall be omitted;
 - (ii) the words "unless he proves that he was unaware of the nature of the document" shall be omitted;
- (b) in sub-section (2) for the word "allows", the words "intentionally permits" shall be substituted.

10. Amendment of section 9, President's Act I of 1951.—In section 9 of the principal Act,—

- (a) in sub-section (2)—
 - (i) in clause (a), for the words "The maintenance of law and order, the public safety or the public revenues", the words "or the maintenance of law and order" shall be substituted;
 - (ii) the word "forthwith" shall be omitted;
- (b) in sub-section (6), clause (ii) and the Explanation shall be omitted.

11. Omission of sections 10 and 11, President's Act I of 1951.—Sections 10 and 11 of the Principal Act shall be omitted.

12. Amendment of section 12, President's Act I of 1951.—In section 12 of the principal Act,—

- (a) sub-section (1) shall be omitted;

(b) in clause (a) of sub-section (2), for the words "the maintenance of public order or the interests of the general public", the words "or the maintenance of public order" shall be substituted.

13. *Amendment of section 13, President's Act I of 1951.*—In section 13 of the principal Act, for the words "and non-bailable", the words "and shall, if the offence is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable" shall be substituted.

14. *Omission of section 14, President's Act I of 1951.*—Section 14 of the principal Act shall be omitted.

15. *Amendment of Schedule, President's Act I of 1951.*—In clause (f) of the Schedule to the principal Act, for the words "of general use", the words "essential to the life of the community" shall be substituted.

ANNEXURE II

THE PUNJAB SECURITY OF THE STATE ACT, 1951

PRESIDENT'S ACT NO. I OF 1951, [AS MODIFIED BY THE PUNJAB SECURITY OF THE STATE (AMENDMENT) ACT, 1951 (PRESIDENT'S ACT III OF 1951)].

An Act to provide for special measures to prevent activities prejudicial to the security of the State or the maintenance of public order.

[12th September, 1951.]

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLVI of 1951), the President is pleased to enact as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Punjab Security of the State Act, 1951.

(2) It extends to the whole of the State of Delhi.

(3) It shall remain in force upto the 12th day of September, 1953.

2. *Sabotage.*—(1) No person shall do any act with intent to impede the working of, or to cause damage to,—

(a) any building, vehicle, vessel, machinery, apparatus, or other property used, or intended to be used, for the purposes of Government or of any local authority;

(b) any railway, tramway, road, canal, bridge, culvert, causeway, aerodrome, telegraph, telegraph line or telegraph post;

(c) any rolling-stock of a railway or tramway or any aircraft; or

(d) any building or other property used in connection with any industry, business or establishment of the nature specified in the Schedule.

(2) The provision of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty, either to the Government or to any public authority or to any person, to do, as they apply to the doing of any act by a person.

(3) If any person approaches or is in the neighbourhood of any such building, place or property as is mentioned in sub-section (1) in circumstances which afford reasonable grounds for believing that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes or attempts to contravene any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Explanation.—No person shall be deemed to have contravened or attempted to have contravened the provisions of this section if he commences, continues, acts in furtherance of, or omits to do anything in pursuance of, a strike which is not illegal under any law for the time being in force.

3. *Quasi-military organisations.*—(1) No person shall take part in the organisation, control, management or training of, or be a member of, any body of persons organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or for the unauthorised use or display of force.

(2) If any person contravenes the provisions of sub-section (1), he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

4. (3) *Power to prohibit drilling.*—The District Magistrate, if satisfied that it is necessary so to do in the interests of the security of the State or for the maintenance of public order, may, by order in writing prohibit in any area specified in the order, either absolutely or subject to exceptions contained in the order, the unauthorised practice of, or participation in, any exercise, movement, evolution or drill which is either of a military nature or involves the use, or preparation for the organised use, of weapons of offence.

5. *Wearing or display of uniforms, flags, etc.*—(1) No person shall have in his possession, or wear, carry or display, any uniform, flag, banner or emblem which has been declared by the State Government by notification in the Official Gazette to signify association with any organisation declared unlawful by the Government.

(2) Any such uniform, flag, banner or emblem wherever found shall be forfeited to Government.

(3) If any person publicly wears, carries or displays any such uniform, flag, banner or emblem, he shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

6. *Power to prohibit meetings and processions.*—The District Magistrate, if satisfied that it is necessary so to do for the maintenance of public order, may, by order in writing, from time to time prohibit within such area and for such period not exceeding two months as may be specified in the order,—

- (a) the holding of any procession or demonstration in any public place;
- (b) the holding of any public meeting;
- (c) the carrying in public of anything capable of use as a weapon of offence.

7. *Power to restrict movements of persons.*—(1) The State Government or a District Magistrate, if satisfied with respect to any particular person that, with a view to preventing him from acting in any manner prejudicial to the security of the State or the maintenance of public order, it is necessary so to do, may by order in writing, give one or more of the following directions, viz., that such person—

- (a) shall not enter, reside or remain in any area that may be specified in the order;
- (b) shall reside or remain in any area that may be specified in the order;
- (c) shall remove himself from, and shall not return to, any area that may be specified in the order;
- (d) shall notify his movements or report himself in such manner and at such times and to such magistrate as may be specified in the order.

(2) An order made under sub-section (1) (hereinafter referred to as a restriction order) may require the person in respect of whom it is made to enter into a bond, with or without sureties, for the due performance of the restrictions or conditions specified in the order.

(3) No restriction order shall be operative for more than—

- (a) one month if made by a District Magistrate, and
- (b) one year, if made by the State Government.

(4) The State Government may at any time cancel or modify any restriction order made by a District Magistrate.

(5) An order made under clause (a) or clause (c) of sub-section (1) may, if made by the State Government, specify as the area to which the order relates the whole State or any part thereof only and, if made by the District Magistrate, specify as such area the whole or any part of the district only:

Provided that no such order made by the State Government shall direct the exclusion or removal from the State of any person ordinarily resident in the State; and no such order made by the District Magistrate shall direct the exclusion or removal from the district of any person ordinarily resident in the district.

(6) As soon as may be after a restriction order is made, the authority making the order shall communicate to the person against whom the order is made, so far as such communication can be made without disclosing facts likely to endanger public safety or the security of the State, the grounds on which the order has been made and such other particulars as are in its opinion adequate to enable him to make a representation to the State Government against the order, and inform him of his right to make such representation and shall afford him the earliest opportunity of doing so.

(7) When the restriction order is made by a District Magistrate, he shall forthwith report to the State Government that the order has been made, the grounds on which it has been made and such other particulars as, in his opinion, have a bearing on the case.

(8) On receipt of a representation from the person against whom a restriction order has been made, the State Government shall, as soon as may be, place it before the Advisory Council constituted under sub-section (9) together with the grounds on which it has been made.

(9) The State Government shall constitute an Advisory Council consisting of a Chairman and two other members all of whom shall be persons who are or have been, or are qualified to be appointed as, Judges of a High Court.

(10) The Advisory Council shall, after considering the material placed before it and, if necessary, after calling for such further information from the State Government or from the person concerned as it may deem necessary, submit its report to the State Government within thirty days from the date on which a representation is placed before it.

(11) After considering the report of the Advisory Council, the State Government may confirm, modify or cancel the restriction order.

(12) All particulars contained in any correspondence between the State Government and the Advisory Council and the report made by the latter shall be confidential and, notwithstanding anything contained in any law for the time being in force, no court shall be entitled to require any public servant to produce before it any of the aforesaid documents.

8. Possession or conveyance of proscribed documents.—(1) Whoever, without lawful authority—

(a) has in his possession, or
 (b) carries for delivery to another person otherwise than through the post, any document the importation of which has been prohibited under the Sea Customs Act, 1878, or in respect of which an order of forfeiture has been made under any law for the time being in force, shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

(2) Whoever intentionally permits his name or address to be used in order to facilitate transmission, through the post or otherwise, to any person other than the person for whom it purports to be intended, of any document of the nature described in sub-section (1), shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

9. Imposition of collective fines in dangerously disturbed areas.—(1) The State Government may, by notification in the Official Gazette, declare the whole or any part of the State to be a dangerously disturbed area.

(2) The State Government or the District Magistrate if satisfied that the inhabitants of any dangerously disturbed area—

(a) are concerned in the commission of offences or other acts which are prejudicial to the security of the State, or the maintenance of law and order, or
 (b) have been harbouring persons concerned in the commission of such offences or acts,

may impose a collective fine on the inhabitants of that area.

(3) An order made by the District Magistrate under sub-section (2) shall be reported forthwith by him to the State Government, and the State Government may thereupon amend, vary or rescind such order.

(4) The authority imposing the fine under sub-section (2) may exempt a person or class or section of such inhabitants from liability to pay any portion of such fine.

(5) The District Magistrate, after such enquiry as he may deem necessary, shall apportion the fine imposed under sub-section (2) among the inhabitants who are liable collectively to pay it and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(6) (i) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

12. Powers of search.—

(2) The power to issue search warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include the power to issue warrants for—

- (a) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the security of the State, or the maintenance of public order has been, is being, or is about to be, committed, or that preparation for the commission of any such offence or act is being made;
- (b) the seizure in or on any place searched under clause (a) of any anything which the officer executing the warrant has reason to believe is being used or is intended to be used for any purpose mentioned in that clause;

and the provisions of the said Code shall, so far as may be, apply to searches made under the authority of any warrant issued and to the disposal of any property seized under this section.

13. Offences under the Act to be cognizable and non-bailable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under this Act shall be cognizable and shall, if the offence is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable.

15. Protection of action taken under this Act.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under, or in pursuance of, this Act.

(2) No suit or other legal proceedings shall lie against the State Government or, except with the sanction of the State Government, against any of its officers, for any damage caused or likely to be caused by anything in good faith done or intended to be done under, or in pursuance of, this Act.

16. Effect of expiry of the East Punjab Public Safety Act, 1949, as extended to Delhi.—Notwithstanding the expiry of the East Punjab Public Safety Act, 1949 as extended to the State of Delhi any order made, notification or direction issued, appointment made or action taken under the said Act, and in force immediately before the commencement of this Act, shall, in so far as it is not inconsistent therewith, continue in force and be deemed to have been made, issued or taken under the corresponding provisions of this Act.

THE SCHEDULE

[See section 2(1) (d)]

All undertakings relating to—

- (a) the maintenance and working of naval, military and air force works, railways, air transport including aerodromes, canals, inland water transport, road transport, telegraph, telephone, broadcasting and postal services, hospitals and services connected with the safeguarding of the public health, mines, firebrigades, printing presses;
- (b) the manufacture, storage, or distribution of stores or equipment required by Government for its departments or services;
- (c) any system of public conservancy or sanitation;
- (d) the upkeep of roads and bridges;
- (e) any industry, business or establishment engaged in the production or supply to the public of light, heat, power, water or motive fuel; or
- (f) any industry, business or establishment engaged in the production or supply to the public of any commodity essential to the life of the community.

S.R.O. 391.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Delhi the Punjab Security of the State (Amendment) Act, 1951 (President's Act III of 1951), [hereinafter referred to as the said Act] as at present in force in the State of Punjab subject to the following modification, namely:—

Modification

For section 2 of the said Act, the following section shall be substituted, namely:—

"2. Amendment of section 1, President's Act I of 1951:—In section 1 of the Punjab Security of the State Act, 1951 [hereinafter referred to as the principal Act] as in force in the State of Delhi the following new sub-section shall be added after sub-section (2), namely:—

"(3) It shall remain in force up to the 12th day of September, 1953."

The text of the said Act as so modified is published as annexure I to this notification and the text of the Punjab Security of the State Act, 1951 (President's Act I of 1951), which was extended to the State of Delhi by the notification of the Government of India in the Ministry of Home Affairs No. SRO-1390, dated the 14th October, 1951, as amended by the said Act as so modified is published as annexure II to this notification.

ANNEXURE I

THE PUNJAB SECURITY OF THE STATE (AMENDMENT) ACT, 1951

PRESIDENT'S ACT NO. III OF 1951

An Act to amend the Punjab Security of the State Act, 1951

[11th November, 1951]

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLV of 1951), the President is pleased to enact as follows:—

1. Short title and commencement.—(1) This Act may be called the Punjab Security of the State (Amendment) Act, 1951.

(2) It shall come into force at once.

2. Amendment of Section 1, President's Act I of 1951.—In Section 1 of the Punjab Security of the State Act, 1951 [hereinafter referred to as the principal Act] as in force in the State of Ajmer, the following new sub-section shall be added after sub-section (2), namely:—

"(3) it shall remain in force up to the 12th day of September, 1953."

3. Amendment of section 2, President's Act I of 1951.—In section 2 of the principal Act,—

- (a) in sub-section (1), the words "impair the efficiency or" shall be omitted;
- (b) in sub-section (3), for the words "reason to believe", the words "reasonable grounds for believing" shall be substituted;
- (c) in sub-section (4), for the word "three", the word "two" shall be substituted.

4. Amendment of section 3, President's Act I of 1951.—In section 3 of the principal Act,—

- (a) in sub-section (1), for the words "organised and trained or organised and equipped either for the purpose of enabling them to be employed for the use of display of force or in such manner as to arouse reasonable apprehension that they are organised and either trained or equipped for that purpose", the words "for the unauthorised use or display of force" shall be substituted;
- (b) in sub-section (2), for the words "two years", the words "one year" shall be substituted.

5. Amendment of section 4, President's Act I of 1951.—In section 4 of the principal Act:—

- (a) for the word "practice", the words "unauthorised practice" shall be substituted.

(b) for the words "preparation for the use", the words "preparation for the organised used" shall be substituted.

6. *Amendment of section 5, President's Act I of 1951.*—In section 5 of the principal Act,—

(a) in sub-section (1)—

(i) the words "make or" shall be omitted;

(ii) for the words "a movement prejudicial to the security of the State or the maintenance of public order", the words "any organisation declared unlawful by the Government" shall be substituted;

(b) in sub-section (3), for the words, figure and brackets "contravenes the provisions of sub-section (1)", the words "publicly wears, carries or displays any such uniform, flag, banner or emblem" shall be substituted.

7. *Amendment of section 6, President's Act I of 1951.*—In section 6 of the principal Act,—

(a) after the words "by order in writing", the words "from time to time" shall be inserted;

(b) for the words "during such period", the words "for such period not exceeding two months" shall be substituted;

(c) the Explanation shall be omitted.

8. *Amendment of section 7, President's Act I of 1951.*—In sub-section (1) of section 7 of the principal Act,—

(a) for the words, "the interests of the general public", the words "the security of the State or the maintenance of public order" shall be substituted.

(b) in clause (d)—

(i) the words "or do both," shall be omitted;

(ii) for the words "authority or person", the word "magistrate" shall be substituted.

9. *Amendment of section 8, President's Act I of 1951.*—In section 8 of the principal Act,—

(a) in sub-section (1)—

(i) in clause (a), the words "or on premises in his occupation or under his control" shall be omitted;

(ii) the words "unless he proves that he was unaware of the nature of the document" shall be omitted;

(b) in sub-section (2) for the word "allows", the words "intentionally permits" shall be substituted.

10. *Amendment of section 9, President's Act I of 1951.*—In section 9 of the principal Act,—

(a) in sub-section (2)—

(i) in clause (a), for the words "The maintenance of law and order, the public safety or the public revenues", the words "or the maintenance of law and order" shall be substituted;

(ii) the word "forthwith" shall be omitted;

(b) in sub-section (6), clause (ii) and the Explanation shall be omitted.

11. *Omission of sections 10 and 11, President's Act I of 1951.*—Sections 10 and 11 of the principal Act shall be omitted.

12. *Amendment of section 12, President's Act I of 1951.*—In section 12 of the principal Act,—

(a) sub-section (1) shall be omitted;

(b) in clause (a) of sub-section (2), for the words "the maintenance of public order or the interests of the general public", the words "or the maintenance of public order" shall be substituted.

13. *Amendment of section 13, President's Act I of 1951.*—In section 13 of the principal Act, for the words "and non-labile" the words "and shall, if the offence

"is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable" shall be substituted.

14. *Omission of section 14, President's Act I of 1951.*—Section 14 of the principal Act shall be omitted.

15. *Amendment of Schedule, President's Act I of 1951.*—In clause (f) of the Schedule to the principal Act, for the words "of general use", the words "essential to the life of the community" shall be substituted.

ANNEXURE II

THE PUNJAB SECURITY OF THE STATE ACT, 1951.

PRESIDENT'S ACT NO I OF 1951 [AS MODIFIED BY THE PUNJAB SECURITY OF THE STATE (AMENDMENT) ACT, 1951 (PRESIDENT'S ACT III OF 1951)].

An Act to provide for special measures to prevent activities prejudicial to the security of the State or the maintenance of public order.

[12th September, 1951.]

In exercise of the powers conferred by section 2 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLVI of 1951), the President is pleased to enact as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Punjab Security of the State Act, 1951.

(2) It extends to the whole of the State of Ajmer.

(3) It shall remain in force upto the 12th day of September, 1953.

2. *Sabotage.*—(1) No person shall do any act with intent to impede the working of, or to cause damage to,—

(a) any building, vehicle, vessel, machinery, apparatus, or other property used, or intended to be used, for the purposes of Government or of any local authority;

(b) any railway, tramway, road, canal, bridge, culvert, causeway, aerodrome, telegraph, telegraph line or telegraph post;

(c) any rolling-stock of a railway or tramway or any aircraft; or

(d) any building or other property used in connection with any industry, business or establishment of the nature specified in the Schedule.

(2) The provision of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty, either to the Government or to any public authority or to any person, to do, as they apply to the doing of any act by a person.

(3) If any person approaches or is in the neighbourhood of any such building, place or property as is mentioned in sub-section (1) in circumstances which afford reasonable grounds for believing that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes or attempts to contravene any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Explanation.—No person shall be deemed to have contravened or attempted to have contravened the provisions of this section if he commences, continues, acts in furtherance of, or omits to do anything in pursuance of, a strike which is not illegal under any law for the time being in force.

3. *Quasi-military organisations.*—(1) No person shall take part in the organisation, control, management or training of, or be a member of, any body of persons organised or trained or equipped for the purpose of enabling them to be employed in usurping the functions of the police or for the unauthorised use or display of force.

(2) If any person contravenes the provisions of sub-section (1), he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

4. (3) *Power to prohibit drilling.*—The District Magistrate, if satisfied that it is necessary so to do in the interests of the security of the State or for the maintenance of public order, may, by order in writing, prohibit in any area specified in the order, either absolutely or subject to exceptions contained in the order, the

unauthorised practice of, or participation in, any exercise, movement, evolution or drill which is either of a military nature or involves the use, or preparation for the organised use, of weapons of offence.

5. Wearing or display of uniforms, flags, etc.—(1) No person shall have in his possession, or wear, carry or display, any uniform, flag, banner or emblem which has been declared by the State Government by notification in the Official Gazette to signify association with any organisation declared unlawful by the Government.

(2) Any such uniform, flag, banner or emblem wherever found shall be forfeited to Government.

(3) If any person publicly wears, carries or displays any such uniform, flag, banner or emblem, he shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

6. Power to prohibit meetings and processions.—The District Magistrate, if satisfied that it is necessary so to do for the maintenance of public order, may, by order in writing, from time to time prohibit within such area and for such period not exceeding two months as may be specified in the order,—

- (a) the holding of any procession or demonstration in any public place;
- (b) the holding of any public meeting;
- (c) the carrying in public of anything capable of use as a weapon of offence.

7. Power to restrict movements of persons.—(1) The State Government or a District Magistrate, if satisfied with respect to any particular person that, with a view to preventing him from acting in any manner prejudicial to the security of the State or the maintenance of public order, it is necessary so to do, may by order in writing, give one or more of the following directions, viz., that such person—

- (a) shall not enter, reside or remain in any area that may be specified in the order;
- (b) shall reside or remain in any area that may be specified in the order;
- (c) shall remove himself from, and shall not return to, any area that may be specified in the order;
- (d) shall notify his movements or report himself in such manner and at such times and to such magistrate as may be specified in the order.

(2) An order made under sub-section (1) (hereinafter referred to as a restriction order) may require the person in respect of whom it is made to enter into a bond, with or without sureties, for the due performance of the restrictions or conditions specified in the order.

(3) No restriction order shall be operative for more than—

- (a) one month, if made by a District Magistrate, and
- (b) one year, if made by the State Government.

(4) The State Government may at any time cancel or modify any restriction order made by a District Magistrate.

(5) An order made under clause (a) or clause (c) of sub-section (1) may, if made by the State Government, specify as the area to which the order relates the whole State or any part thereof only and, if made by the District Magistrate, specify as such area the whole or any part of the district only:

Provided that no such order made by the State Government shall direct the exclusion or removal from the State of any person ordinarily resident in the State; and no such order made by the District Magistrate shall direct the exclusion or removal from the district of any person ordinarily resident in the district.

(6) As soon as may be after a restriction order is made, the authority making the order shall communicate to the person against whom the order is made, so far as such communication can be made without disclosing facts likely to endanger public safety or the security of the State, the grounds on which the order has been made and such other particulars as are in its opinion adequate to enable him to make a representation to the State Government against the order, and inform him of his right to make such representation and shall afford him the earliest opportunity of doing so.

(7) When the restriction order is made by a District Magistrate, he shall forthwith report to the State Government that the order has been made, the grounds on which it has been made and such other particulars as, in his opinion, have a bearing on the case.

(8) On receipt of a representation from the person against whom a restriction order has been made, the State Government shall, as soon as may be, place it before the Advisory Council constituted under sub-section (9) together with the grounds on which it has been made.

(9) The State Government shall constitute an Advisory Council consisting of a Chairman and two other members all of whom shall be persons who are or have been, or are qualified to be appointed as, Judges of a High Court.

(10) The Advisory Council shall, after considering the material placed before it and, if necessary, after calling for such further information from the State Government or from the person concerned as it may deem necessary, submit its report to the State Government within thirty days from the date on which a representation is placed before it.

(11) After considering the report of the Advisory Council, the State Government may confirm, modify or cancel the restriction order.

(12) All particulars contained in any correspondence between the State Government and the Advisory Council and the report made by the latter shall be confidential and, notwithstanding anything contained in any law for the time being in force, no court shall be entitled to require any public servant to produce before it any of the aforesaid documents.

8. Possession or conveyance of proscribed documents.—(1) Whoever, without lawful authority—

(a) has in his possession, or

(b) carries for delivery to another person otherwise than through the post, any document the importation of which has been prohibited under the Sea Customs Act, 1878, or in respect of which an order of forfeiture has been made under any law for the time being in force, shall, be punishable with imprisonment which may extend to one year, or with fine, or with both.

(2) Whoever intentionally permits his name or address to be used in order to facilitate transmission, through the post or otherwise, to any person other than the person for whom it purports to be intended, of any document of the nature described in sub-section (1), shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

9. Imposition of collective fines in dangerously disturbed areas.—(1) The State Government may, by notification in the Official Gazette, declare the whole or any part of the State to be a dangerously disturbed area.

(2) The State Government or the District Magistrate if satisfied that the inhabitants of any dangerously disturbed area—

(a) are concerned in the commission of offences or other acts which are prejudicial to the security of the State, or the maintenance of law and order, or

(b) have been harbouring persons concerned in the commission of such offences or acts,

may impose a collective fine on the inhabitants of that area.

(3) An order made by the District Magistrate under sub-section (2) shall be reported forthwith by him to the State Government, and the State Government may thereupon amend, vary or rescind such order.

(4) The authority imposing the fine under sub-section (2) may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(5) The District Magistrate, after such enquiry as he may deem necessary, shall apportion the fine imposed under sub-section (2) among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(6) (i) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

12. Powers of search—

(2) The power to issue search warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include the power to issue warrants for—

(a) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the security of the State, or the maintenance of public order has been, is being, or is about to be, committed, or that preparation for the commission of any such offence or act is being made;

(b) the seizure in or on any place searched under clause (a) of anything which the officer executing the warrant has reason to believe is being used or is intended to be used for any purpose mentioned in that clause;

and the provisions of the said Code shall, so far as may be, apply to searches made under the authority of any warrant issued and to the disposal of any property seized under this section.

13. Offences under the Act to be cognizable and non-bailable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898, all offences punishable under this Act shall be cognizable and shall, if the offence is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable.

14. Protection of action taken under this Act.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under, or in pursuance of, this Act.

(2) No suit or other legal proceedings shall lie against the State Government or, except with the sanction of the State Government, against any of its officers, for any damage caused or likely to be caused by anything in good faith done or intended to be done under, or in pursuance of, this Act.

15. Effect of expiry of the East Punjab Public Safety Act, 1949, as extended to Ajmer.—Notwithstanding the expiry of the East Punjab Public Safety Act, 1949 as extended to the State of Ajmer any order made, notification or direction issued, appointment made or action taken under the said Act, and in force immediately before the commencement of this Act, shall, in so far as it is not inconsistent therewith, continue in force and be deemed to have been made, issued or taken under the corresponding provisions of this Act.

THE SCHEDULE

[See section 2(1) (d)]

All undertakings relating to—

(a) the maintenance and working of naval, military and air force works, railways, air transport including aerodromes, canals, inland water transport, road transport, telegraph, telephone, broadcasting and postal services, hospitals and services connected with the safeguarding of the public health, mines, firebrigades, printing presses;

(b) the manufacture, storage, or distribution of stores or equipment required by Government for its departments or services;

(c) any system of public conservancy or sanitation;

(d) the upkeep of roads and bridges;

(e) any industry, business or establishment engaged in the production or supply to the public of light, heat, power, water or motive fuel; or

(f) any industry, business or establishment engaged in the production or supply to the public of any commodity essential to the life of the community.

New Delhi, the 29th February 1952

S.R.O. 392.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government is pleased to exempt the President, Howrah Rifle Club from the operation of the prohibitions and directions contained in section 6 of the said Act in respect of one .303 rifle and four rounds of ammunition therefor exported by Dr. N. K. Sen from Singapore.

[No. 9/55/51-Police(I).]

New Delhi, the 3rd March 1952

S.R.O. 393.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts Shri M. B. Shah, a Minister of the Government of Nepal, and his party, on their way to and back from Western Nepal through Indian territory, from the operation of all the prohibitions and directions contained in sections 6, 10 and 13 to 15 of the said Act, in respect of one stengun No. M. 2496 with fifty cartridges and one .38 bore revolver No. 758003 with twelve cartridges.

[No. 9/4/52-Police (I).]

New Delhi, the 4th March 1952

S.R.O. 394.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Central Government hereby exempts Sardar Ahmed Wali Khan, first cousin of His Majesty the King of Afghanistan, for the duration of his stay in India, from the operation of all the prohibitions and directions contained in Sections 6, 10 and 13 to 15 of the said Act in respect of (i) one 7 m.m. Westley Richards sporting magazine rifle No. 42674 with two hundred and ninety cartridges, (ii) one .440 bore Winchester sporting lever action rifle No. 925303 with four hundred and ninety cartridges and (iii) one .303 bore Lee-Enfield converted sporting magazine rifle No. 82630 with two hundred cartridges.

[No. 9/5/52-Police(I).]

U. K. GHOSHAL, Dy. Secy.

MINISTRY OF STATES

New Delhi, the 27th February 1952

S.R.O. 395.—In exercise of the powers conferred by section 1 of the Transfer of Property Act, 1882 (IV of 1882), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of States No. 262-J, dated the 26th November 1951, namely:—

In the said notification after the word 'exempts' the words and figures 'retrospectively with effect from the 1st January 1950' shall be inserted.

[No. 38-J.]

S.R.O. 396.—In exercise of the power conferred by proviso to sub-section (2) of section 1 of the Indian Registration Act, 1908 (XVI of 1908), the Central Government hereby excludes from all territories in the State of Himachal Pradesh except—

(i) any area within the limits of a municipality and

(ii) any notified area as declared and notified under section 241 of the Punjab Municipal Act, 1911, as applied to Himachal Pradesh.

[No. 39-J.]

A. N. SACHDEV, Under Secy.

MINISTRY OF FINANCE
(Department of Economic Affairs)

New Delhi, the 27th February 1952

S.R.O. 397.—In exercise of the powers conferred by clause (iv) of sub-section (1) of section 28 of the Imperial Bank of India Act, 1920 (XLVII of 1920), the Central Government hereby nominates Shri A. D. Gorwala, Neptune Court, Napan Sea Road, Malabar Hill, Bombay, and renominates Shri S. P. Rajagopalachari, Basavangudi, Bangalore 4, not being officers of the Government, to be Directors of the Imperial Bank of India.

[No. F. 3(7)-FI/52.]

S. K. SEN, Dy. Secy.

(CHARTERED ACCOUNTANTS)

New Delhi, the 5th March 1952

S.R.O. 398.—In exercise of the powers conferred on them by clause (b) of Sub-section (3) of Section 9 of the Chartered Accountants Act, 1949 the Central Government is pleased to nominate Shri B. K. Kaul, I.C.S., Deputy Secretary to the Government of India in the Ministry of Finance, to the Council of the Institute of Chartered Accountants of India vice Shri K. G. Ambegaokar, I.C.S., resigned.

[No. 65(1)-ICA/52.]

P. C. BHATTACHARYYA, Joint Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

CENTRAL EXCISE

New Delhi, the 8th March 1952

S.R.O. 399.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), the Central Government hereby directs that the following further amendments shall be made in the Central Excise Rules, 1944, namely—

In the said Rules—

1. In item 2(a) of the table appended to rule 176, for the words "splints and veneers", the words "splints, veneers and composition for match-heads" shall be substituted.
2. In Appendix I, in the Note to Form A.L.4 (Central Excise Series No. 6) and the Note 2 to Form L.4 (Central Excise Series No. 14), for the words "splints and veneers" wherever they occur, the words "splints, veneers and composition for match-heads" shall be substituted.

[No. 4.]

W. SALDANHA, Under Secy.

CUSTOMS

New Delhi, the 8th March 1952

S.R.O. 400.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the late Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June 1935, namely:—

In the said notification, in "Schedule I—Import Duties", under the head "F—French and Portugues India", under the sub-heading "(b) other concessions" in

the entry against serial No. 73, in column 2 for the words "a Foreign Possession in India other than Chandernagore, Yanam and Mahe", the words "a Foreign Possession in India" shall be substituted.

[No. 34.]

E. RAJARAM RAO, Joint Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 3rd March 1952

S.R.O. 401.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922), and in partial modification of its notification No. 32-Income-tax dated the 9th November 1946, the Central Board of Revenue directs that the Appellate Assistant Commissioner of Income-tax, Rajkot shall also and the Appellate Assistant Commissioner of Income-tax, Ahmedabad Range II, Ahmedabad, shall not perform his functions in respect of the persons specified in column 2 of the Schedule hereto annexed for the appeals mentioned in the corresponding entry in column 3 thereof:—

SCHEDULE

S. No.	Name and address of assessee	Appeal No.	Assessment year
1	2	3	4
1	Mr. Chundrakant Keshavlal, Prop: Keshavlal Chunilal.	767/49—50	1944—45
2	—do—	765/49—50	1945—46
3	—do—	766/49—50	1946—47
4	—do—	764/49—50	1947—48
5	Messrs. Shantilal Bhaidas.	115/51—52	1950—51
6	Rajnagar Ready Made Stores.	124/51—52	1950—51
7	—do—	125/51—52	1949—50
8	Mr. Venilal Mohanlal.	238/50—51	1949—50

[No. 14.]

K. B. DEB, Under Secy.

CUSTOMS

New Delhi, the 8th March 1952

S.R.O. 402.—In exercise of the powers conferred by section 4 of the Land Customs Act, 1924 (XIX of 1924), the Central Board of Revenue directs that the following amendment shall be made in its notification No. 20-Customs, dated the 2nd February, 1952, namely:—

In the said notification against S. No. 6 for the words 'No. 142-Customs, dated the 18th November, 1950', the words 'No. 61-Customs, dated the 1st July, 1951, shall be substituted.

[No. 35.]

D. P. ANAND, Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 28th February 1952

S.R.O. 403.—In exercise of the powers conferred by sub-clause (a) of clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the Ministry of Industry and Supply, No. I(I)-1(699)/48-B, dated the 16th August, 1948, as amended from time to time, namely:—

To the Schedule annexed to the said Notification, the following entry shall be added, namely:—

“Commissioner, Civil Supplies, Bhopal”.

[No. SC(A)-4(77).]

New Delhi, the 3rd March 1952

S.R.O. 404.—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to direct that the following further amendment shall be made in the Iron and Steel (Control of Production and Distribution) Order, 1941, namely:—

The following proviso shall be added to Clause 8, namely.—

“Provided that notwithstanding the provisions of this Order or the conditions governing the acquisition of any category of iron or steel, the Controller may, by a written order, require any person holding stocks of iron or steel either to release by way of loan or sell the whole or any part of the stock to such person or class of persons and on such terms and conditions as may be specified in the Order.”

In the exercise of the powers conferred by the proviso, the Controller may have regard to the following matters, namely:—

- (a) The requirements of the persons holding such stocks;
- (b) the requirements of the persons needing such stocks;
- (c) transport facilities available; and
- (d) any other factor including a strike or lock-out affecting production or fabrication.”

[No. SC(A)-4(125)]

S.R.O. 405.—The following Notification issued by the Iron and Steel Controller under Clause 8 of the Iron and Steel (Scrap Control) Order, 1943, is published for general information:—

“NOTIFICATION

In exercise of the powers conferred by sub-clause (1) of clause 8 of the Iron and Steel (Scrap Control) Order, 1943, and with the approval of the Central Government, the Iron and Steel Controller is pleased to notify the following amendment to the late Ministry of Industry and Supply Notification No. I(I)-1(196), dated the 5th February, 1949, published in the Gazette of India dated the 5th February 1949, as amended from time to time, viz.,—

For the existing paragraph 4 under the heading “General Conditions”, the following shall be substituted:—

4. Octroi, Sales and other taxes levied on defectives and scrap entering the Stockholder's yard by the Government or the Local Authority of the State or town

where the stockyard is situated and similar taxes incurred in the process of delivery of materials from seller's yard or siding to the customer, shall be borne by the latter.'

M. K. POWVALA,
Iron and Steel Controller."
[No. SC(A)-1(196).]

New Delhi, the 5th March 1952

S.R.O. 406.—The following General Authorisation issued by the Iron and Steel Controller under Clauses 4 and 5 of the Iron and Steel (Control of Production and Distribution) Order, 1941, is published for general information:—

"In exercise of the powers conferred on me under Clauses 4 and 5 of the Iron and Steel (Control of Production and Distribution) Order, 1941, I hereby authorise the acquisition and disposal, within the Union of India, of any quantity of pipe fittings, whether imported or of indigenous manufacture, without any quota certificate or authorisation. This relaxation will not, however, effect the current regulations for the fixation of selling prices for pipe fittings.

2. This Authorisation supersedes the one contained in the Ministry of Commerce and Industry Notification No. SC(A)-4(15), dated the 23rd May 1951.

M. K. POWVALA,
Iron and Steel Controller."
[No. SC(A)-4(15).]

N. R. REDDY, Under Secy.

New Delhi, the 4th March 1952

S.R.O. 407.—In pursuance of clause 3 of the Newsprint Control Order, 1951, the Central Government hereby extends the general permission given in the Government of India, Ministry of Commerce & Industry Notification No. S.R.O. 924, dated the 15th June, 1951, and extended upto the 14th March, 1952, in the Government of India, Ministry of Commerce & Industry Notification No. S.R.O. 2007 dated the 14th December, 1951, for a further period of six months commencing from the 15th March, 1952.

[No. CI-36(6)/51]

B. B. SAKSENA, Dy. Secy.

ORDERS

New Delhi, the 28th February, 1952

S.R.O. 408.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply S.R.O. No. 503, dated the 2nd September, 1950, in so far as it relates to the fixation of maximum price of Caustic Soda imported from the United States of America, the Central Government hereby fixes the following Schedule of maximum prices for 50 tons of caustic soda imported per s.s. "STEEL CHEMIST" during January 1952 by Messrs. Industrial Importers and Engineers (India) Ltd., 49, Stephen House, 4, Dalhousie Square, Calcutta.

SCHEDULE

1	2	3	4	5
Variety of Soda Ash	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Caustic Soda.	Rs. 45-3-0 per cwt. ex-godown/F. O. R. Calcutta.	The price specified in column 2 PLUS (a) actual railway freight by goods train or actual transport charges by sea from Calcutta to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in column 3 PLUS a margin not exceeding annas eight per cwt.	The price specified in column 4 PLUS a margin not exceeding Rs. 1-12-0 per cwt.

NOTE.—These prices are exclusive of local taxes, such as Sales Tax, Octroi etc., which may be charged extra.

[No. PC-7(17)/51.]

S.R.O. 409.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (J.XX of 1950), and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply S.R.O. No. 503, dated the 2nd September 1950, in so far as it relates to the fixation of the maximum prices of Soda Ash imported from the United States of America, the Central Government hereby fixes the following Schedule of maximum prices for 6 tons of soda ash imported per s.s. "EXHIBITOR" during January 1952 by Messrs. N. V. T. Zainulabdeen Rowther and Company, Dindigul, S. India.

SCHEDULE

1	2	3	4	5
Variety of soda ash	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Soda Ash (Light).	Rs. 28-0-0 per cwt. ex-godown/F.O.R. Madras.	The price specified in column 2 PLUS (a) actual railway freight by goods train or actual transport charges by sea from Madras to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in column 3 PLUS a margin not exceeding annas eight per cwt.	The price specified in column 4 PLUS a margin not exceeding Rs. 1-12-0 per cwt.

NOTE.—These prices are exclusive of local taxes, such as sales tax, octroi etc., which may be charged extra.

[No. PC-7(4)/52.]

S.R.O. 410.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September 1950, in so far as it relates to the fixation of the maximum price of Soda Ash imported from France, the Central Government hereby fixes the following Schedule of maximum prices for 100 tons of soda ash imported per s.s. "LOOSDRECHT" during January 1952 by Messrs. Jankidass Ramgopal, 48 Canning Street, Calcutta.

SCHEDULE

1	2	3	4	5
Variety of soda ash	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Soda Ash.	Rs. 25.7-0 per cwt, ex-godown/F.O.R., Calcutta	The price specified in column 2 PLUS (a) actual railway freight by goods train or actual transport charges by sea from Calcutta to the place of destination, and (b) handling charges not exceeding rupees eight per cwt.	The price specified in column 3 PLUS a margin not exceeding rupees eight per cwt.	The price specified in column 4 PLUS a margin not exceeding Rs. 1.12-0 per cwt.

NOTE.—These prices are exclusive of local taxes, such as sales tax, octroi etc. which may be charged extra.

[No. PC-7(3)/52.]

New Delhi, the 29th February 1952

S.R.O. 411.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act 1950 (LXX of 1950) and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September, 1950, in so far as it relates to the fixation of maximum price of Soda Ash imported from United States of America, the Central Government hereby fixes the following Schedule of maximum prices for 100 short tons of soda ash imported per s.s. 'City of Oxford' during January, 1952, by Messrs. Joharmal Jugaikishore, 325, Kalbadevi Road, Bombay.

SCHEDULE

(1)	(2)	(3)	(4)	(5)
Variety of Soda Ash	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Soda Ash (Light)	Rs. 24-10-0 per cwt. ex-go-down/FOR, Calcutta.	The price specified in column 2 PLUS (a) actual railway freight by goods train or actual transport charges by sea from Calcutta to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in column 3 PLUS a margin not exceeding annas eight per cwt.	The price specified in column 4 PLUS a margin not exceeding Rs. 1-12-0 per cwt.

Note.—These prices are exclusive of local taxes, such as Sales Tax, Octroi etc., which may be charged extra. ▲

[No. PC-7(2)/52.]

S.R.O. 412.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act 1950 (LXX of 1950) and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply S.R.O. No. 503, dated the 2nd September, 1950, in so far as it relates to the fixation of maximum price of Caustic Soda imported from the United States of America, the Central Government hereby fixes the following Schedule of maximum prices for 120 drums of caustic soda (solid) imported per s.s. 'Flying Foam' during January, 1952, by Messrs. N. Manseta and Brothers, 165, Lohar Chawl, Bombay 2.

SCHEDULE

(1)	(2)	(3)	(4)	(5)
Variety of Caustic Soda	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Caustic Soda (solid)	Rs. 37-8-0 per cwt. Ex-go-down/FOR, Bombay.	The price specified in Col. 2 PLUS (a) actual railway freight by goods train or actual transport charges by sea from Bombay to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in column 3 PLUS a margin not exceeding annas eight per cwt.	The price specified in column 4 PLUS a margin not exceeding Rs. 1-12-0 per cwt.

Note.—These prices are exclusive of local taxes, such as Sales Tax, Octroi etc., which may be charged extra. ▲

[No. PC-7(13)/51.]

New Delhi, the 4th March 1952

S.R.O. 413.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950) and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply S.R.O. No. 503, dated the 2nd September 1950, in so far as it relates to the fixation of Maximum price of Soda Ash imported from France, the Central Government hereby fixes the following Schedule of maximum prices for 10 tons of soda ash imported per S. S. "JALKIRTI" during January 1952 by Messrs. N. V. T. Zainulabdeen Rowther and Co., Dindigul, (S. India-Madras).

SCHEDULE

(1)	(2)	(3)	(4)	(5)
-----	-----	-----	-----	-----

Variety of Soda Ash	Maximum price that may be charged by the importer	Maximum price that may be charged by the distributor	Maximum price that may be charged by a wholesaler	Maximum price charged by a retail dealer
---------------------	---	--	---	--

Soda Ash	Rs. 26-9-0 per cwt. The price specified in Column 2 PLUS (a) actual railway freight by road or train or annas eight per cwt.	The price specified in Column 2 PLUS a margin not exceeding Rs. 3 annas eight per cwt.	The price specified in Column 3 PLUS a margin not exceeding Rs. 3 annas eight per cwt.	The price specified in Column 4 PLUS a margin not exceeding Rs. 3 annas eight per cwt.
	ex-godown/FOR Madras.	from Madras to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	from Madras to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	from Madras to the place of destination, and (b) handling charges not exceeding annas eight per cwt.

NOTE.—These prices are exclusive of local taxes, such as Sales Tax, Octroi etc., which may be charged extra.

[No. PC-7(4)/52]

S.R.O. 414.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950) and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply S.R.O. No. 503 dated the 2nd September 1950, in so far as it relates to the fixation of maximum price of soda ash imported from France the Central Government hereby fixes the following Schedule of maximum price in respect of 3937 Cwts. of soda ash imported per S. S. St. Valery en Caux during November 1951 by the Indian Commercial Company Ltd., 45/47 Apollo Street, Fort, Bombay.

SCHEDULE

(1)

(2)

(3)

(4)

(5)

Variety of Soda Ash	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price charged by a retail dealer	Maximum price charged by a whole sale dealer's dealer
---------------------	---	--	--	---

Light Soda Ash	Rs. 24.15-0 per cwt. The price specified in column 2 PLUS (a) actual railway freight by goods train or actual transport charges by sea from Bombay to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in column 2 PLUS a margin not exceeding Rs. annas eight per cwt.	The price specified in column 4 PLUS a margin not exceeding Rs. 1-12-0 per cwt.
----------------	---	--	---

NOTE:—These prices are exclusive of local taxes, such as Sales Tax, Octroi etc., which may be charged extra.

[No. PC-7(16)/51]

P. S. SUNDARAM, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

AGRICULTURAL

New Delhi, the 29th February 1952

S.R.O. 415.—In pursuance of section 4 (X) of the Indian Cotton Cess Act, 1928 (XIV of 1923) the Central Government are pleased to appoint Shri S. Bhoothalingam, I.C.S., Joint Secretary to the Government of India, Ministry of Commerce and Industry, to be an additional member of the Indian Central Cotton Committee, Bombay, vice Shri A. S. Lal, I. C. S.

[No. F.1-20/52-CJ.I]

S. R. MAINI, Dy. Secy.

MINISTRY OF NATURAL RESOURCES AND SCIENTIFIC RESEARCH

New Delhi, the 29th February 1952

S.R.O. 416.—In exercise of the powers conferred by section 5 of the Mines and Minerals (Regulation and Development) Act, 1948 (LIII of 1948), the Central Government hereby directs that the following amendments shall be made in the Mineral Concession Rules, 1949, namely:—

In the said Rules—

1. To sub-rule (1) of rule 13 the following sentence shall be added at the end, namely :—

"No prospecting license shall be granted to any person unless he produces before the State Government an income tax clearance certificate from

the Income-tax officer of the District where he resides and carries on business."

2. To sub-rule (1) of rule 26 the following sentence shall be added at the end, namely :—

"No mining lease shall be granted to a person who applies under rule 61, unless he produces before the State Government an income tax clearance certificate from the Income-tax officer of the District where he resides and carries on business."

[No. M.II-152(73).]

T. GONSALVES, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 5th March 1952

S.R.O. 417.—In exercise of the powers conferred by section 4 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby directs that the following amendment shall be made in the Notification of the Government of India in the Ministry of Rehabilitation No. S. R. O. 357, dated the 22nd February 1952, namely:—

"In the said Notification, for the entry 'Shri Ishwar Dass Puri, Senior Subordinate Judge, Delhi,' the entry 'Shri Jawala Das, Subordinate Judge, Delhi' shall be substituted."

[No. 82(14)/51-Prop.]

MANMOHAN KISHAN, Asstt. Secy.

MINISTRY OF COMMUNICATIONS

POSTS AND TELEGRAPHS BRANCH

New Delhi, the 29th February 1952

S.R.O. 418—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby directs that the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In item (s) of rule 183 of the said Rules for the words "The Chairman and the Secretary of the Coal Mines Stowing Board" the words "The Chairman, Coal Board and the Secretary (Stowing) to the Chairman, Coal Board" shall be substituted.

[C-28-3/52.]

New Delhi, the 3rd March 1952

S.R.O. 419.—In exercise of the powers conferred by Section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Central Government hereby directs that the following amendment shall be made with effect from the 1st April, 1952, in the Indian Telegraph Rules, 1951, namely:—

In item V, under sub-rule (1) of rule 430 of the said Rules, in column 3 against "Calcutta" for the letters and figures "Rs. 15" the letters and figures "Rs. 14" shall be substituted.

[No. R. 3-17/51.]

K. V. VENKATACHALAM, Dy. Secy.

MINISTRY OF TRANSPORT

New Delhi, the 3rd March 1952

S.R.O. 420.—In exercise of the powers conferred by Section 13 of the Delhi Road Transport Authority Act, 1950 (XIII of 1950), read with Rule 3 of the Delhi Road Transport Authority (Advisory Council) Rules, 1951, the Central Government hereby constitutes with effect from the 5th March, 1952, an Advisory Council, consisting of the following members, to advise the Delhi Road Transport Authority:—

- (i) The Chairman, Delhi Road Transport Authority—Chairman.
- (ii) The General Manager, Delhi Road Transport Authority—Vice-Chairman.
- (iii) Shri U. A. Basurkar, Managing Director, New Garage Ltd., New Delhi.
(A representative of the New Delhi Municipal Committee).
- (iv) Shri Shiv Rai Bahadur. (A representative of the Delhi Notified Area Committee).
- (v) Shri Virendra Agarwala, M.A., General Secretary, International Students' Service. (A representative of the Delhi University).
- (vi) Shri P. N. Bhatia. (A representative of the Press Association, New Delhi).
- (vii) Shri S. N. Tulsiani, Honorary Secretary, Central Secretariat Association.
(A representative of the Central Secretariat Association).
- (viii) L. Bhiku Ram Jain. (A representative of the United Chamber of Trade Associations, Delhi).
- (ix) Shri H. R. Berry. (A representative of the Punjab Chamber of Commerce, New Delhi).
- (x) Shrimati Sarala Bhargava, M.A. (A representative of the Delhi Women's League).
- (xi) The State Motor Transport Controller, Delhi.
- (xii) Shri A. G. Thomas, Superintendent of Police, Traffic, New Delhi. (A representative of the Police Department, Delhi).
- (xiii) The Executive Engineer, Delhi State Division, Delhi State Circle, Central Public Works Department, New Delhi.

[No. 51-TAG(8)/50.]

T. S. PARASURAMAN, Dy. Secy.

MINISTRY OF WORKS, PRODUCTION & SUPPLY

(CENTRAL BOILERS, BOARD)

New Delhi, the 26th February 1952

S.R.O. 421.—The following draft of a further amendment to the Indian Boiler Regulations, 1950, which the Central Boilers Board propose to make in exercise of the power conferred by section 28 of the Indian Boilers Act, 1923 (V of 1923) is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 31st March, 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Production and Supply, North Block, New Delhi.

Draft Amendment

In appendix E of the Indian Boiler Regulations, 1950, the following tables shall be added, namely:—

TABLE "R"

FLANGES FOR PIPES, VALVES AND FILLINGS

For working Steam Pressures above 450 lb. and upto 600 lb. per sq. in.

1	1(a)	2	3	4	5	6(h)	7
Nominal pipe size	Approximate outside diameter of wrought pipe	Diameter of flange	Diameter of bolt circle	Number of bolts	Diameter of bolts	Thickness of flange	Diameter of jointing face
1	27/32	4 $\frac{1}{2}$	3 $\frac{1}{2}$	4	5/8	$\frac{1}{2}$	2 $\frac{1}{4}$
	1-1/16	4 $\frac{1}{2}$	3 $\frac{1}{2}$	4	5/8	$\frac{1}{2}$	2 $\frac{1}{4}$
1	1-11/32	5	3 $\frac{1}{2}$	4	5/8	$\frac{7}{8}$	2 $\frac{1}{4}$
1 $\frac{1}{2}$	1-11/16	5 $\frac{1}{4}$	3 $\frac{7}{8}$	4	5/8	$\frac{7}{8}$	2 $\frac{1}{4}$
1 $\frac{1}{2}$	1-29/32	6	4 $\frac{1}{2}$	4	$\frac{1}{2}$	1	3
2	2-3/8	6 $\frac{1}{2}$	5	8	5/8	1	3 $\frac{1}{2}$
2 $\frac{1}{2}$	3	7 $\frac{1}{2}$	5 $\frac{1}{2}$	8	$\frac{1}{2}$	1 $\frac{1}{2}$	4
3	3 $\frac{1}{2}$	8	6 $\frac{1}{2}$	8	$\frac{1}{2}$	1 $\frac{1}{2}$	4 $\frac{1}{2}$
3 $\frac{1}{2}$	4	9	7 $\frac{1}{2}$	8	$\frac{1}{2}$	1 $\frac{1}{2}$	5
4	4 $\frac{1}{2}$	9 $\frac{1}{2}$	7 $\frac{1}{2}$	8	$\frac{7}{8}$	1- $\frac{1}{2}$	5 $\frac{1}{2}$
4 $\frac{1}{2}$	5	10	8 $\frac{1}{2}$	8	$\frac{7}{8}$	1 $\frac{1}{2}$	6
5	5 $\frac{1}{2}$	11	9 $\frac{1}{2}$	12	$\frac{7}{8}$	1-5/8	6 $\frac{1}{2}$
6	6 $\frac{1}{2}$	12	10 $\frac{1}{2}$	12	$\frac{7}{8}$	1 $\frac{1}{2}$	7 $\frac{1}{2}$
7	7 $\frac{1}{2}$	13 $\frac{1}{2}$	11 $\frac{1}{2}$	12	1	1 $\frac{1}{2}$	8 $\frac{1}{2}$
8	8 $\frac{1}{2}$	14 $\frac{1}{2}$	12 $\frac{1}{2}$	12	1	2	9 $\frac{1}{2}$
9	9 $\frac{1}{2}$	16	14	16	1	$\frac{1}{2}$	10 $\frac{1}{2}$
10	10 $\frac{1}{2}$	17	15 $\frac{1}{2}$	16	1	$\frac{1}{2}$	11 $\frac{1}{2}$
11	11 $\frac{1}{2}$	19	17	16	1 $\frac{1}{2}$	2-3/8	12 $\frac{1}{2}$
12	12 $\frac{1}{2}$	20	18	16	1 $\frac{1}{2}$	$\frac{1}{2}$	13 $\frac{1}{2}$
13	14	21 $\frac{1}{2}$	19 $\frac{1}{2}$	16	1 $\frac{1}{2}$	2-5/8	15
14	15	23	20 $\frac{1}{2}$	16	1 $\frac{1}{2}$	2 $\frac{1}{2}$	16
15	16	24	21 $\frac{1}{2}$	20	1 $\frac{1}{2}$	$\frac{1}{2}$	17
16	17	25 $\frac{1}{2}$	23	20	1 $\frac{1}{2}$	3	18

TABLE 'T'

STEEL FLANGES FOR PIPES, VALVES AND FITTINGS

(To be used in conjunction with the Notes and Appendices)

For working steam pressures above 900 lb. and up to 1400 lb. per sq. inch, and temperatures up to 800°F. (427°C.)

	1(a)	2	3	4	5	6	7
Nominal pipe bore	Max. outside diameter of wrought pipe	Diameter of flange	Diameter of bolt circle	Number of bolts	Diameter of bolts	Thickness of flange	Diameter of jointing face
in.	in.	in.	in.	in.	in.	in.	in.
1/8	27/32	5 1/4	4	4	1/4	1	2 1/4
1/4	1-1/16	5 1/2	4	4	1/4	1	2 1/4
1/2	1-11/32	5 1/4	4 1/2	4	1/2	1-1/8	2 1/4
1 1/2	1-11/16	6 1/4	4 1/2	4	7/8	1 1/4	2 1/4
1 1/2	2-3/8	6 1/4	5 1/2	8	1/2	1-3/8	3
2	3	7 1/2	5 1/2	8	1/2	1-3/8	3 1/2
2 1/2	3 1/2	8	6 1/2	8	7/8	1-5/8	4 1/2
3	4	9 1/4	7 1/2	8	1	1-7/8	5
3 1/2	4 1/2	10 1/2	8 1/2	8	1-1/8	2-1/8	5 1/2
4	5	11 1/2	9 1/2	8	1-1/8	2 1/4	6
4 1/2	5 1/2	11 1/2	10	12	1	2-3/8	6 1/2
5	6 1/2	12 1/2	10 1/2	12	1-1/8	2-5/8	7
6	7 1/2	14 1/2	12 1/2	12	1 1/4	2-7/8	8
7	9	17	14 1/2	12	1-3/8	3 1/2	9 1/2
8	10 1/2	18 1/2	16	12	1 1/4	3 1/2	10 1/2
9	11 1/2	20	17 1/2	16	1-3/8	3 1/2	11 1/2
10	12 1/2	22	19 1/2	16	1 1/2	4 1/2	12 1/2

TABLE 'S'
STEEL FLANGES FOR PIPES, VALVES AND FITTINGS

For working steam pressures above 600 lb. and up to 900 lb. per sq. in., and temperatures up to 800° F. (427°C.).

1	1(a)	2	3	4	5	6	7
Nominal pipe size	Actual outside diameter of wrought pipe	Diameter of flange	Diameter of bolt circle	Number of bolts	Diameter of bolts	Thickness of flange	Diameter of jointing face
in.	in.	in.	in.	in.	in.	in.	in.
1	27/32	5	3½	4	¾	7/8	2
2	1-1/16	5	3½	4	¾	7/8	2
1	1-11/32	5½	4	4	¾	1	2½
1½	1-11/16	5½	4½	4	¾	1-1/8	2½
1½	1-29/32	6¼	4¾	4	¾	1-1/8	2½
2	2-3/8	6¾	5¼	8	¾	1¼	3¼
2½	3	7½	5¾	8	¾	1½	3½
3	3½	8	6½	8	7/8	1-3/8	4½
3½	4	9½	7½	8	7/8	1½	4½
4	5	9½	8	8	1	1-5/8	5½
4½	5½	10½	8½	8	1	1-5/8	5½
5	6	11½	9½	12	7/8	1¾	6½
6	7	12½	10½	12	1	2	7½
7	8½	14½	12½	12	1-1/8	2½	8½
8	9½	16½	14	12	1½	2½	9½
9	10½	17½	15½	10	1-1/8	2-5/8	10½
10	11½	19	16½	16	1½	2-7/8	11½
*10½	12½	21	18½	16	1-3/8	3-1/8	12½
*11½	14	22½	20	16	1½	3½	13½
*12-5/8	15	24	21½	16	1½	3½	14½
*13½	16	25½	22½	20	1½	3½	16
*14-3/8	17	27½	24½	20	1-5/8	4	17
*15½	18	29½	26	20	1½	4½	18

*The sizes shall be specified by the outside diameter dimensions given in column 1(a). The figures in column 1 (nominal bore) are 'approximate' and are given for information only.

[No. M/BL-304(79)/51.]

N. P. DUBE, Secy,
Central Boilers Board.

New Delhi, the 27th February 1952

S.R.O. 422.—In pursuance of sub-section (3) of section 1 of the **Delhi Hotels (Control of Accommodation) Act, 1949**, (XXIV of 1949), the Central Government hereby directs that Hotel Ambassador, New Delhi shall be added to the Schedule to the said Act.

[No. 1798-WII/52.]

N. P. DUBE, Dy. Secy.

New Delhi, the 1st March 1952

S.R.O. 423.—The following draft of a further amendments to the **Explosives Rules, 1940**, which it is proposed to make in exercise of the powers conferred by section 5 of the Indian Explosives Act, 1884 (IV of 1884), is published as required by section 18 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st March, 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendment

In the said Rules—

In rule 3, for the definition of the term “District Authority”, the following definition shall be substituted, namely:—

“‘District Authority’ means—

- (i) in a Presidency town or its suburbs, the Commissioner of Police;
- (ii) in the cities of Hyderabad and Secunderabad-cum-Cantonment area, the Commissioner of City Police, Hyderabad; and
- (iii) elsewhere, the District Magistrate;”

[No. M-102(1)/52]

S.R.O. 424.—The following draft of further amendments to the **Petroleum Rules, 1937**, the **Carbide of Calcium Rules, 1937** and the **Cinematograph Film Rules, 1948**, which it is proposed to make in exercise of the powers conferred by section 4 and sub-section (1) of section 29 of the **Petroleum Act, 1934** (XXX of 1934), is published as required by sub-section (2) of section 29 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st March, 1952.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government.

Draft Amendments

In rule 3 of each of the **Petroleum Rules, 1937**, the **Carbide of Calcium Rules, 1937** and the **Cinematograph Film Rules, 1948**, for the definition of the term “District Authority”, the following definition shall be substituted, namely:—

“‘District Authority’ means—

- (i) in a Presidency town or its suburbs, the Commissioner of Police;
- (ii) in the cities of Hyderabad and Secunderabad-cum-Cantonment area, the Commissioner of City Police, Hyderabad; and
- (iii) elsewhere, the District Magistrate;”

[No. M-102(1)/52]

B. B. PAYMASTER, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 29th February 1952

S.R.O. 425.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (XLVI of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour No. P.F.23(1)/50, dated, the 16th January, 1950, namely :—

In Schedule 'A' to the said notification, under the heading 'Korea (Central Provinces)' the word 'Katni' shall be deleted.

[No. P.F.2(5)/52.]

SADASHIVA PRASAD, Dy. Secy.

New Delhi, the 3rd March 1952

S.R.O. 426.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in respect of an application under Section 33-A of the said Act preferred by Shri Sangula Vandanan, a workman of the Hindusthan Co-operative Insurance Society, Limited.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

20/I, GURUSADAY ROAD, BALLYGANGE, CALCUTTA-19.

Before Shri K. S. Campbell-Puri, B.A., LL.B., Chairman.

Parties

Shri Sangula Vandanan, Peon of Vijayawada Branch of the Hindusthan Co-operative Insurance Society, Ltd.

and

Hindusthan Co-Operative Insurance Society Ltd., Calcutta.

In the matter of an application, dated 26th October 1951 under section 33-A of the Industrial Disputes Act, 1947 (as amended) preferred by Shri Sangula Vandanan, Peon of the Vijayawada Branch of the Hindusthan Co-Operative Insurance Society Ltd., through the Convenor, Defence Council of the Federation of Hindusthan Insurance Employees Unions and admitted during the pendency of Reference No. I of 1951.

AWARD

A complaint was made by Shri Sangula Vandanan, a Peon of Vijayawada Branch of the Hindusthan Co-Operative Insurance Society Ltd. under section 33-A of the Industrial Disputes Act, 1947 (as amended) through Shri K. A. Chitnis, Convenor, Defence Council of the Federation of Hindusthan Insurance Employees' Unions. The application was admitted during the pendency of the original Reference No. I of 1951 and notice was issued to the other side. On completion of the pleadings, the application came up for final hearing on 29th January 1952 in the presence of Shri K. A. Chitnis, Convenor, Defence Council of the Hindusthan, Insurance Employees Unions for the applicant and Shri J. Banerjee, Junior Assistant Secretary for the Company. The Union representative, however, stated on behalf of the applicant that some negotiations were going on between the management and the applicant and it was likely that the matter in dispute be settled out of Court. The Company's representative Shri J. Banerjee also confirmed the statement made by Shri Chitnis and asked for some time. The case was accordingly adjourned to 20th February 1952.

No one has made appearance to-day; but a letter dated 6th February, 1952 was received earlier which purports to have been signed by the applicant Shri Sangula Vandanan and Shri K. A. Chitnis, Convenor, Defence Council, Federation of Hindusthan Insurance Employees Unions, as well as by the Junior Assistant Secretary, Shri J. Banerjee, for and on behalf of the Hindusthan Co-Operative Insurance Society Ltd. In this letter it is stated that the above dispute has been amicably settled and the parties do not want to proceed further with the case.

I have no reason to doubt the genuineness of the communication and the application is, therefore, deemed to have been withdrawn.

Awarded accordingly.

Central
Government
Industrial
Tribunal,
Calcutta.

K. S. CAMPBELL-PURI,
Chairman,
Central Government Industrial Tribunal, Calcutta.
CALCUTTA:
20th February, 1952.

[No. LR/90(141).]

N. C. KUPPUSWAMI, Under Secy.

New Delhi, the 4th March 1952

S.R.O. 427.—In the Schedule to the notification of the Government of India in the Ministry of Labour No. S.R.O. 557, dated the 14th April 1951, the following modifications shall be made, namely:—

- (1) In columns (1) and (2) against item 3 for the words "Bombay, Baroda and Central India Railway" the words "Western Railway" shall be substituted.
- (2) In columns (1) and (2) against item 4 for the words "Madras and Southern Maharatta Railway" the words "Southern Railway" shall be substituted.
- (3) In columns (1) and (2) against item 10 for the words "Great Indian Peninsula Railway" the words "Central Railway" shall be substituted.
- (4) In column (1) against item 14 for the words "Great Indian Peninsula Railway" the words "Central Railway" shall be substituted.
- (5) Items 5, 6 and 16 to 22 shall be omitted.

[No. M.1(1)51]

P. N. SHARMA, Under Secy.

New Delhi, the 4th March 1952

S.R.O. 428.—In exercise of the powers conferred by sub-sections (2) and (3) of section 26, read with section 24, of the Payment of Wages Act, 1936 (IV of 1936), the Central Government hereby rescinds the Payment of Wages (Railways) Rules, 1937.

[No. Fac.-49(7)A.]

S.R.O. 429.—In exercise of the powers conferred by sub-sections (2) and (3) of section 26, read with section 24, of the Payment of Wages Act, 1936 (IV of 1936), the Central Government hereby directs that the following further amendments shall be made in the Payment of Wages (Federal Railways) Rules, 1938, the same having been previously published as required by sub-section (5) of section 26 of the said Act, namely:

Amendment

1. Throughout the rules, for the words "Federal Railways" and "Federal Railway" wherever they occur, the words "railways" and "railway", respectively, shall be substituted.
2. After sub-rule (1) of rule 1, the following sub-rule shall be inserted, namely: "(IA) They extend to the whole of India except the State of Jammu and Kashmir."
3. Clause (f) of rule 2 shall be omitted.

[No. Fac.-49(7)B.]

S.R.O. 430.—In exercise of the powers conferred by sub-sections (2) and (3) of section 26, read with section 24, of the Payment of Wages Act, 1936 (IV of 1936), the Central Government hereby rescinds the Central Provinces Payment of Wages (Non-Federal Railways) Rules, 1939, and the Berar Payment of Wages (Non-Federal Railways) Rules, 1939.

[No. Fae-49(7)]

K. N. NAMBIAR, Under Secy.

New Delhi, the 8th March 1952

S.R.O. 431.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948, (IX of 1948), the Central Government hereby makes the following Scheme for the Port of Madras, the same having been previously published as required by the said sub-section, namely:—

THE SCHEME

THE MADRAS DOCK WORKERS (REGULATION OF EMPLOYMENT) SCHEME 1952.

1. Name of the Scheme.—This Scheme may be called the Madras Dock Workers (Regulation of Employment) Scheme, 1952, and is hereinafter referred to as "the Scheme."

2. Objects and Application.—(1) The Objects of the Scheme are to ensure greater regularity of employment for dock workers and to secure that an adequate number of dock workers is available for the efficient performance of dock work.

(2) The Scheme relates to the Port of Madras and shall apply to the classes or descriptions of dock work and dock workers set out in the Schedule annexed to the Scheme:

Provided always that the Scheme shall not apply to any dock worker unless he is employed or registered for employment in connection with the loading, unloading, movement or storage of cargoes or work in connection with the preparation of ships or other vessels for the receipt or discharge of cargoes or for leaving port.

(3) The Scheme shall apply to registered dock workers and registered employers.

3. Interpretations.—In this Scheme, unless there is anything repugnant in the subject or context—

- (a) "the Act" means the Dock Workers (Regulation of Employment) Act, 1948 (IX of 1948);
- (b) "Administrative Body" means the Administrative Body appointed under clause 5;
- (c) "Board" means the Madras Dock Labour Board constituted under clause 4;
- (d) "cargo" and "dock worker" have the meanings respectively assigned to them in the Act;
- (e) "daily worker" means a registered dock worker who is not a monthly worker;
- (f) "dock work" means operations at places or premises to which the Scheme relates, ordinarily performed by dock workers of the classes or descriptions to which the Scheme applies;
- (g) "employer's register" means the register of dock employers maintained under the Scheme;
- (h) "monthly worker" means a registered dock worker who is engaged by a registered employer on monthly wages under a contract which requires at least one month's notice for its termination;
- (i) "register or record" means the register or record of dock workers maintained under the Scheme;
- (j) "registered dock worker" means a dock worker whose name is for the time being entered in the register or record;
- (k) "registered employer" means a dock employer whose name is for the time being entered in the employer's register;
- (l) "Registration Committee" means the Registration Committee appointed under clause 28;
- (m) "reserve pool" means a pool of registered dock workers who are available for work, and who are not, for the time being, in the employment of a registered employer as a monthly worker;

(n) "week" means the period commencing from mid-night of Saturday and ending on the midnight of the next succeeding Saturday;

(o) "Special Officer" means the special officer appointed under clause 6.

4. Madras Dock Labour Board.—Establishment of.—(1) The Central Government shall, by notification in the Official Gazette, constitute a Board to be called the "Madras Dock Labour Board" which shall, subject to the provisions herein-after contained, be responsible for the administration of the Scheme.

(2) The Board shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The Board shall consist of twelve members to be appointed by the Central Government and shall include an equal number of members representing—

(i) the Central Government,

(ii) the dock workers, and

(iii) the employers and shipping companies.

(4) The Chairman of the Board shall be nominated by the Central Government from among the members representing the Government and the Vice-Chairman of the Board shall be elected by the members of the Board from among themselves.

(5) The persons representing respectively the dock workers and the employers shall be appointed after consulting such Associations of persons as appear to the Central Government to be representative of such workers and such employers.

(6) There shall be paid to the non-official members of the Board such salaries, fees and allowances as may subject to the approval of the Central Government, be determined by the Board, from time to time.

(7) (a) A member of the Board shall hold office for a period of three years from the date of the notification appointing him as a member and shall be eligible for re-appointment:

Provided that an out-going member shall continue in office until the appointment of his successor is notified in the Official Gazette.

(b) A member appointed to fill a casual vacancy shall hold office for the unexpired portion of the term of the person in whose place he is appointed.

(c) A member other than the Chairman, may resign his office by letter under his hand addressed to the Chairman.

(d) The Chairman may resign his office by letter under his hand addressed to the Central Government.

(e) If a member proposes to proceed out of India, he shall, before doing so intimate to the Chairman, the proposed date of his departure from, and of his return to, India and, if he intends to be absent from India for a period exceeding six months, he shall tender his resignation.

(f) A member shall be deemed to have vacated his office: —

(i) if he proceeds out of India without complying with the provisions of sub-clause (e);

(ii) if he becomes an insolvent;

(iii) if he is convicted of any offence which, in the opinion of the Central Government, involves moral turpitude;

(iv) if he is absent from three consecutive meetings of the Board without leave of absence from the Chairman;

(v) if, in the opinion of the Central Government, a member who was appointed to represent dock workers or employers of dock workers and shipping companies ceases to be representative of dock workers or their employers or the shipping companies, as the case may be; or

(vi) if, in the opinion of the Central Government, it is for any other reason not desirable that he should continue to be a member.

(8) No act done by the Board shall be questioned merely on the ground of the existence of any vacancy in, or defect in the constitution of, the Board.

(9) The quorum and procedure of the Board shall be such as the Board may from time to time determine.

(10) If any question arises for the decision of the Board, it shall be decided by a resolution of the majority of the members of the Board present and voting and in case of equality of votes the Chairman shall have a second or a casting vote.

5. Administrative Body.—(1) The Central Government may, by notification in the Official Gazette, appoint the Madras Stevedores' Association or any other authority for the purpose of carrying on the day to day administration of the Scheme and such Association or other authority, when so appointed, shall be known as the Administrative Body.

(2) The Administrative Body shall subject to the supervision and control of the Board and subject to the provisions of clause 9 carry on the day-to-day administration of the Scheme.

(3) The Central Government may for sufficient cause remove any authority appointed under sub-clause (1):

Provided that no such authority shall be removed unless it has been given a reasonable opportunity of being heard.

6. Special Officer and other servants of the Board.—The Board may appoint a special Officer and such other officers and servants and pay them such salaries and allowances and prescribe such terms and conditions of service as it deems fit:

Provided that no post carrying a salary of rupees five hundred per mensem or more, shall be created and no appointment to such post shall be made by the Board except with the previous approval of the Central Government.

7. Functions of the Board.—(1) The Board may take such measures as it may consider desirable for furthering the objectives of the Scheme set out in clause 2, including measures for:

- (a) ensuring the full and proper utilisation of dock labour for the purpose of facilitating the rapid and economic turnaround of vessels and the speedy transit of goods through the port;
- (b) regulating the recruitment and entry into and the discharge from the Scheme of dock workers and the allocation of registered dock workers to registered employers;
- (c) determining and keeping under review in consultation with the Administrative Body the number of registered employers and registered dock workers from time to time on the registers or records and the increases or reductions to be made in the numbers in any such registers or records;
- (d) keeping, adjusting and maintaining the employers' register entering or re-entering therein the name of any dock employer and, where circumstances so require, removing from the register the name of any registered employer, either at his own request or in accordance with the provisions of the Scheme;
- (e) keeping, adjusting and maintaining from time to time such registers or records, as may be necessary, of dock workers including any registers or records of dock workers who are temporarily not available for dock work and whose absence has been approved by the Administrative Body and, where circumstances so require, removing from any register or record the name of any registered dock worker either at his own request or in accordance with the provisions of the Scheme;
- (f) the grouping or regrouping of all registered dock workers into such groups as may be determined by the Board after consultation with the Administrative Body and thereafter reviewing the grouping of any registered dock worker on the application of the Administrative Body or of the registered dock worker;
- (g) making satisfactory provision for the training and welfare of registered dock workers including medical services, in so far as such provision does not exist apart from the Scheme;
- (h) levying and recovering from registered employers contributions in respect of the expenses of the Scheme;
- (i) making satisfactory provision for health and safety measures in places where dock workers are employed in so far as such provision does not exist apart from the Scheme;
- (j) borrowing or raising money and issuing debentures or other securities and, for the purpose of securing any debt or obligation, mortgaging or charging all or any part of the property of the Board.

(2) The income and property of the Board from whatever source derived shall be applied solely towards the objects of the Scheme and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise howsoever by way of benefit to the members of the Board; provided that nothing herein shall prevent the payment of reasonable and proper remuneration

and expenses to any officer or servant of the Board or to any member of the Board in return for any services actually rendered to the Board, nor prevent the payment of interest at a reasonable rate on money lent or reasonable and proper rent for premises demised or let by any member to the Board.

(3) The Board shall cause proper accounts to be kept of the costs of operating the Scheme and of all receipts and expenses under the Scheme.

(4) The Board shall submit to the Central Government an annual report on the working of the Scheme and an audited balance sheet and copies of proceedings of the meetings of the Board.

8. Functions of the Administrative Body.—Without prejudice to the powers and functions of the Board, the Administrative Body shall be responsible for the administration of the Scheme and shall in particular be responsible for—

- (a) the keeping, adjusting and maintaining the employers' register, entering or re-entering therein the name of any dock employer and, where circumstances so require, removing from the register the name of any registered employer, either at his own request or in accordance with the provisions of the Scheme;
- (b) the keeping, adjusting and maintaining from time to time such registers or records as may be necessary, of dock workers, including any registers or records of dock workers who are temporarily not available for dock work and whose absence has been approved by the Administrative Body and, where circumstances so require, removing from any register or record the name of any registered dock worker either at his own request or in accordance with the provisions of the Scheme;
- (c) the employment and control of registered dock workers available for work when they are not otherwise employed in accordance with the Scheme;
- (d) the grouping or re-grouping of registered dock workers in accordance with instructions received from the Board in such groups as may be determined by the Board;
- (e) the allocation of registered dock workers who are available for work to registered employers and for this purpose the Administrative Body shall—
 - (i) be deemed to act as an agent for the employer,
 - (ii) make the fullest possible use of registered dock workers in the Reserve Pool,
 - (iii) keep the record of attendance, at call stands or control points, of registered dock workers,
 - (iv) provide for the maintenance of the records of employment and earnings,
 - (v) subject to the allotment of work by rotation under clause 21(3), follow the principle of seniority, i.e., a worker shall not be allocated unless all registered workers of the same category above him in the register have been allocated;
- (f) (i) the payment as agent of the registered employer to each daily worker of all earnings properly due to the worker from the employer, and the payment to such workers of all monies payable by the Board to those workers in accordance with the provisions of the Scheme;
- (ii) the payment of the employer's contribution to any scheme of insurance constituted under any Act in respect of daily workers and the custody and stamping of their insurance books or cards;
- (iii) the payment of the employer's contribution to any scheme of Provident Fund established for daily workers;
- (g) appointing, subject to budget provision, such officers and servants from time to time as may be necessary:

Provided that the creation of posts carrying a pay of Rs. 250 or over per month and appointment of persons to such posts shall be subject to the prior approval of the Board;

- (h) the keeping of proper accounts of the cost of operating the Scheme and of all receipts and expenses under it and making and submitting to the Board an annual report and audited balance-sheet;
- (i) the framing of budget annually and for getting it approved by the Board; and

(j) such other functions as may from time to time be delegated to it by the Board.

9. Functions of the Special Officer.—(1) The Special Officer shall discharge all functions relating to disciplinary action against registered employers and daily workers and shall in particular be responsible for taking action under clauses 35, 36 and 37.

(2) The Board may entrust the Special Officer either of its own motion or at the instance of the Administrative Body such other functions as the Board may deem fit.

10. Maintenance of Registers, etc.—(1) **Employers' Register.**—(a) There shall be a register of employers.

(b) In so far as the application of the Scheme to stevedore labour is concerned, every stevedore, who is licensed by the Madras Port Trust at the time when the Scheme is put into operation and who has worked as a stevedore in the Port of Madras at any time during the preceding two years shall be entitled to be registered under the Scheme; but no such person shall be so entitled unless he applies for registration on or before the date fixed by the Board for this purpose.

(c) Persons other than those registered under sub-clause (b) shall not be registered as stevedores unless the Board considers it expedient and necessary to do so and in no case shall a person be registered until he has been licensed in that behalf by the Port Authority.

(d) A registration fee of Rs. 400 shall be payable to the Board by every stevedore.

(2) **Workers' Registers.**—(1) The workers' registers shall be maintained in the forms devised by the Registration Committee and approved by the Board for the purpose.

(2) The registers of stevedore workers shall be as under, namely:—

(i) *Monthly Register.*—Register of workers who are engaged by each stevedore on contract on monthly wages and who are known as monthly workers.

(ii) *Reserve Pool Register.*—Register of workers other than those on the monthly register. No vacancy occurring in the Reserve Pool Register shall be filled by the Administrative Body until the appropriate Employment Exchange has indicated its inability to supply suitable applicants.

11. Classification of workers in Registers.—(1) The Registration Committee shall arrange for the classification of workers by categories in the registers.

(ii) Stevedore labour shall be classified in the following categories:—

(a) Foreman (Serang).

(b) Tindal.

(c) Winchman.

(d) Stevedore worker.

12. Fixation of number of workers on the register.—The total number of workers in each category shall be determined by the Board in consultation with the Port Authority and the Administrative Body.

13. Registration of existing and new workers.—(1) Any dock worker who, immediately before the coming into force of the Scheme, is in the employment of any employer to whom the Scheme applies, shall be eligible for registration.

(2) New workers will be selected for registration by the Registration Committee out of the list submitted by the Employment Exchange. The qualifications for such selection shall be age not exceeding forty years, physical fitness, capacity and/or experience. Preference will be given to Indian citizens.

(3) New workers to be selected for registration will be on probation for a period of three months before being placed on a permanent basis in the registers.

14. Transfer of Workers.—(1) A vacancy in any category of workers in a register shall ordinarily be filled by promotion of a worker from the next lower category.

(2) A vacancy in any category of monthly workers may be filled only by promotion from lower categories of monthly workers or, if no person is suitable for promotion from lower categories of monthly workers, by transfer of a senior worker in the same or a superior category of the Reserve Pool workers.

Explanation.—The criteria for promotion or transfer shall ordinarily be the following, viz.—

- (a) seniority,
- (b) merit and fitness for work in the category to which promotion is to be made, and
- (c) record of past service.

(3) If the services of a monthly worker are terminated by the employer he shall be entitled to registration in the Reserve Pool in a similar category and his previous service shall be reckoned for all benefits in the Reserve Pool and the employer shall transfer to the Board all benefits that have accrued to the worker in respect of previous service as if such service had not been terminated unless the Board decides that for some special reason the worker is unfit to be re-employed as a dock worker. The employer shall in particular contribute to the Board such amount as may be appropriate towards the worker's leave that may be due to him on the date of such transfer.

15. Medical Examination.—If the Administrative Body deems it necessary, a worker shall undergo free of charge medical examination by a Medical Board to be constituted by the Board.

16. Facilities for Training.—Adequate facilities for training should be provided for workers by the Board.

17. Registration Fee.—A registration fee of Rupees two shall be payable to the Board by each worker:

Provided however that the fee for workers registered at the commencement of the Scheme shall be Rupee one.

18. Supply of Cards.—(1) Every registered worker shall be supplied, free of cost, with the following cards in the forms prescribed by the Board, namely:—

- (i) Identity Card.
- (ii) Attendance and Wage Card.

(2) In case of loss of a card, a fresh card will be issued but the cost thereof, which will be fixed by the Board, shall be payable by the worker concerned.

19. Surrender of Cards.—A worker's cards shall be surrendered to the Administrative Body in the following cases and circumstances, namely:—

- (a) when proceeding on leave,
- (b) when retiring from service,
- (c) when dismissed or discharged from service,
- (d) when temporarily suspended,
- (e) on death.

20. Employment of Workers.—(1) Workers on the Monthly Register attached to a registered employer shall be entitled to be employed by that employer in preference to any worker in the Reserve Pool Register.

(2) For work which cannot be done by those on the Monthly Register, workers on the Reserve Pool Register shall be employed.

21. Employment in Shifts.—(1) Workers will be employed in shifts.

(2) Workers will not ordinarily be employed in two consecutive shifts in a day and in no case will workers on the Monthly Register be employed on a second shift so long as workers in a similar category are available on the Reserve Pool Register for work in that shift.

(3) Workers of each category on the Reserve Pool Register shall be allotted work by rotation.

(4) Where work is carried on by a gang, the allotment of workers by rotation shall be by gangs.

22. Filling up of Casual Vacancies.—Casual vacancies in the Monthly and Reserve Pool Gangs will be filled up in the following manner:—

When a tindal is absent, the senior man in the same gang will work as a tindal.

In the vacancies of workers in the gangs, workers from the Reserve Pool will be employed by rotation.

23. Guaranteed Minimum Wages.—A worker on the Reserve Pool Register shall be paid wages at least for twelve days in a month at the wage rate, inclusive of dearness allowance, appropriate to the category to which he belongs, even

though no work is found for him for the minimum number of twelve days in a month. The days on which work is allotted to the worker shall be counted towards the twelve days mentioned above.

24. Attendance Wages.—Subject to the provisions of the Scheme, a worker on the Reserve Pool Register who is available for work but for whom no work is found shall be paid attendance wages at the rate of Rupee one per day for the days on which no work was found for him during a calendar month. Provided that no attendance wages will be payable for any day for which full wages, inclusive of dearness allowance, have been paid under clause 23 or otherwise or for which disappointment money is paid under clause 26.

25. Employment for a Shift.—No worker in the Reserve Pool Register shall be employed for a period of less than a shift and where the work for which a worker has been engaged is completed during the working period of the shift he shall undertake such other work in or at the same or another vessel or berth as may be required by the same employer for the remainder of the period and if no such other work is made available to him, he shall be paid for the entire shift.

26. Disappointment Money.—When a worker in the Reserve Pool presents himself for work and for any reason beyond the control of the employer, the work for which he has attended cannot proceed and no alternative work can be found for him and he is relieved within 2 hours of his attending for work, he will be entitled to disappointment money equal to half the wage rate, inclusive of dearness allowance, appropriate to the category to which he belongs. A worker detained for more than 2 hours shall be paid full wages inclusive of dearness allowance.

27. Appeal Tribunal.—(1) The Central Government shall appoint one or more Appeal Tribunals for the purposes of hearing appeals under the Scheme.

(2) The Appeal Tribunal shall consist of not more than three persons, who shall not be members of the Board or otherwise connected with the administration of the Scheme.

28. Registration Committee.—The Board may appoint one or more Registration Committees, to whom it may delegate such duties as it may think fit in relation to the registration both of dock workers and of employers of dock workers.

29. Obligations of registered dock workers.—(1) Every registered dock worker shall be deemed to have accepted the obligations of the Scheme.

(2) A registered dock worker in the Reserve Pool who is available for work shall be deemed to be in the employment of the Board.

(3) A registered dock worker who is available for work shall not engage himself for employment under a registered employer unless he is allocated to that employer by the Administrative Body.

(4) A registered dock worker in the Reserve Pool who is available for work shall carry out the directions of the Administrative Body and shall—

- (a) report at such call stands or control points and at such times as may be specified by the Administrative Body and shall remain at such call stands or control points for such period, not exceeding one hour from the commencement of the shift, as may be so specified; and
- (b) accept any employment in connection with dock work, whether in the category in which he has been registered or in any other category for which he is considered suitable by the Administrative Body.

(5) A registered dock worker who is available for work when allocated by the Administrative Body for employment under a registered employer shall carry out his duties in accordance with the directions of such registered employer and the rules of the port or place where he is working.

30. Obligations of registered employers.—(1) Every registered employer shall accept the obligations of the Scheme.

(2) A registered employer shall not employ a worker other than a worker who has been allocated to him by the Administrative Body in accordance with the provisions of clause 8(e).

(3) Unless otherwise directed by the Administrative Body a registered employer shall, on the engagement of a registered dock worker who is available for work, obtain his record book or wage card and stamp it in respect of each period of work and return it to him at the conclusion of his engagement.

(4) A registered employer shall in accordance with arrangements made by the Administrative Body, submit all available information of his current and future labour requirements.

(5) A registered employer shall, in accordance with directions given by the Administrative Body, lodge with the latter a return of the gross wages (including overtime and allowances and without deductions of any kind) due from him to each registered dock worker engaged by him in respect of the period covered by the return.

(6) A registered employer shall pay to the Administrative Body in such manner and at such times as the Board may direct the total amount of the gross wages due to daily workers specified in the return made under the preceding paragraph.

(7) A registered employer shall keep such records as the Board may require, and shall produce to the Board or to such persons as may be designated by the Board upon reasonable notice all such records and any other documents of any kind relating to registered dock workers and to the work upon which they have been employed and furnish such information relating thereto, as may be set out in any notice or direction issued by or on behalf of the Board.

31. Restriction on employment.—(1) No person other than a registered employer shall engage for employment or employ any worker on dock work nor shall a registered employer engage for employment or employ a worker on dock work unless that worker is a registered dock worker.

(2) Notwithstanding the foregoing provisions of this clause—

(a) where the Administrative Body is satisfied that—

(i) dock work is emergently required to be done; and

(ii) it is not reasonably practicable to obtain a registered dock worker for that work,

the Administrative Body may, subject to any limitations imposed by the Board, allocate to a registered employer a person who is not a registered dock worker. In selecting such workers the local Employment Exchange organisation shall, as far as possible, be consulted.

(b) In the case referred to in sub-paragraph (a) the person so employed as aforesaid by a registered employer shall, for the purposes of clause 30(5), (6) and (7) and clause 33, be treated in respect of that dock work as if he were a daily worker.

32. Circumstances in which the Scheme ceases to apply.—(1) The Scheme shall cease to apply to a registered dock worker when his name has been removed from the register or record in accordance with the provisions of the Scheme.

(2) The Scheme shall cease to apply to a registered employer when his name has been removed from the employers' register in accordance with the provisions of the Scheme.

(3) Nothing in this clause shall affect any obligation incurred or right accrued during any time when the person was a registered dock worker or a registered employer.

33. Wages, allowances and other conditions of service.—It shall be an implied condition of the contract between a registered dock worker (whether monthly or daily), and a registered employer—

(a) that the rates of wages, allowances, and overtime, hours of work, rest, intervals, holidays and pay in respect thereof and other conditions of service shall be such as may be prescribed by the Board for each category of workers, and

(b) that the fixation of wage periods, time for payment of wages and deductions from wages shall be in accordance with the provisions of the Payment of Wages Act, 1936.

34. Pay in respect of unemployment or underemployment.—(1) Subject to the conditions set out in this and the next following clause, when, in any wage period, a registered dock worker in the Reserve Pool is available for work but is not given employment or full employment, he shall be entitled to receive from the Board such amounts as may be admissible to him under clauses 23, 24 and 26.

(2) The conditions subject to which a registered dock worker is entitled to the said payment (if any) from the Board are that—

(a) he attended as directed at the call stands or control points or was excused from attendance; and

(b) his attendance or his excused attendance was recorded.

35. Disentitlement to payment.—(1) A registered dock worker available for work who while in the Reserve Pool fails without adequate cause to comply with the provisions of clause 29(4) (a) or (b), or fails to comply with any lawful order given to him by or on behalf of the Board, may be reported in writing to the Special Officer.

(2) A registered dock worker in the Reserve Pool available for work who, while in employment to which he has been allocated by the Administrative Body, fails without any adequate cause to comply with the provisions of clause 29(5) or fails to comply with any lawful orders given to him by his employer, may have his engagement terminated and may be returned to the Reserve Pool, and, whether or not he is so returned may be reported in writing to the Special Officer. When a registered dock worker is so returned to the Reserve Pool, his record book or wage card shall be returned to the Administrative Body.

(3) The Special Officer shall consider any written report received under paragraph (1) or (2) and if, after investigating the matter, he notifies the registered dock worker and the Administrative Body that he is satisfied that the registered dock worker has failed to comply with a lawful order as aforesaid, the registered dock worker shall not be entitled to any payment, or to such part of any payment under clause 34 as the Special Officer thinks fit in respect of the wage period in which such failure occurred or continues.

36. Disciplinary procedure.—(1) The Special Officer, on receipt of information, whether on a complaint or otherwise, that a registered employer has failed to carry out the provisions of the Scheme, and after investigating the matter, may take any of the following steps as regards that employer, that is to say he may—

- (a) give the registered employer a warning in writing;
- (b) subject to the approval of the Board and after one month's notice in writing given to the registered employer by the Special Officer inform the Administrative Body that the name of the registered employer shall be removed from the employers' register for such period as determined by the Board.

(2) A registered dock worker in the Reserve Pool who is available for work and fails to comply with any of the provisions of the Scheme, or commits any act of indiscipline or misconduct may be reported in writing to the Special Officer, who may, after investigating the matter and without prejudice to and in addition to the powers conferred by clause 35, take any of the following steps as regards that worker, that is to say, he may—

- (a) determine that, for such period as he thinks proper, that worker shall not be entitled to any payment under clause 34;
- (b) give him a warning in writing;
- (c) suspend him without pay for a period not exceeding three days;
- (d) give him fourteen days' notice of termination;
- (e) dismiss him.

(3) Before any action is taken under sub-clause (1) or (2), the person concerned shall be given an opportunity to show cause why the proposed action should not be taken against him.

(4) The Administrative Body shall be informed simultaneously about the action taken under sub-clauses (1) and (2).

37. Termination of employment.—(1) The employment of a registered dock worker in the Reserve Pool who is available for work shall not be terminated by the Special Officer except—

- (a) by dismissal in the case of misconduct; or
- (b) by giving him fourteen days' notice in writing for any other justifiable cause; or
- (c) so as to enable the worker to be employed in accordance with the provisions of the Scheme.

(2) A registered dock worker in the Reserve Pool who is available for work shall not leave his employment with the Board except by giving fourteen days' notice in writing to the Board or except where he is to be employed in accordance with the provisions of the Scheme.

(3) Where the employment of a registered dock worker by the Board has been terminated under paragraph (1)(a) or (b), or under paragraph (2) by a notice given by him, his name shall forthwith be removed from the register or record by the Administrative Body.

38. Appeals to Appeal Tribunal.—(1) If a registered dock worker who is available for work is aggrieved by any order under which he—

- (a) is not entitled to any payment under clause 34 by reason of any of the grounds specified in clause 35 or 36; or
- (b) is suspended from the Scheme; or
- (c) is not properly grouped or regrouped in the register or record; or
- (d) is to be removed from the register or record under paragraphs (1) (a) and (3) of clause 37; or
- (e) is to be given a notice of termination of his employment in accordance with paragraph (1) (b) of clause 37;

he may, within fourteen clear days of the date of the order or, as the case may be, of the date of the receipt of the notice terminating his employment, prefer an appeal in writing to the Appeal Tribunal:

Provided that the Appeal Tribunal may, for reasons to be recorded, admit an appeal preferred after the expiry of fourteen days:

Provided further that no such appeal shall lie where due notice has been given of the removal of the name of the registered dock worker from the register or record in accordance with the instructions of the Board, if the ground of removal is that the registered dock worker falls within a class or description of dock workers whose names are to be removed from the register or record in order to reduce the size thereof:

Provided further, that an appeal shall lie where the registered dock worker alleges that he does not belong to the class or description of dock workers referred to in the preceding proviso.

(2) The Appeal Tribunal shall, as soon as practicable, hear and decide the appeal and if the appeal is allowed, it shall have power to order that the appellant shall be entitled to receive any payment or any part thereof which may be held to be due to him under clause 34 or that he shall be grouped in accordance with the decision of the Tribunal from such date as it may fix or that his name shall be restored in the register or record as from such date as it may fix. The Appeal Tribunal shall also have the power to vary, modify or alter the penalty imposed but it shall not have power to increase any penalty imposed or to impose a more severe penalty.

(3) An appellant shall not be entitled to be represented by a legal practitioner before the Appeal Tribunal, but he shall be entitled to be represented by a representative of the registered Trade Union of which he is a member or by a registered dock worker.

(4) The decision of a majority of an Appeal Tribunal shall be the decision of the Tribunal and shall be final and conclusive. Such decision shall be forthwith given effect to by the Board and the Administrative Body.

39. Appeal to Board.—(1) A registered employer who is aggrieved by an order,

- (a) giving him a warning in writing under clause 36(1) (a), or
- (b) directing a notice to be given to him under clause 36(1) (b) that his name will be removed from the employers' register,

may within fourteen clear days of the date of the order or as the case may be, the date of the receipt of the notice of removal from the employers' register, prefer an appeal to the Board, who shall forthwith refer the matter to the Central Government. The Central Government shall make such order on the appeal as it thinks fit.

(2) A stevedore or a worker who has been refused registration under clause 10(1) (b), clause 10(1) (c) or clause 13 as the case may be, or who has been wrongly classified under clause 11 shall have a right of appeal to the Board within fourteen clear days of the date of such refusal and if the original refusal is by the Board the appeal shall lie to the Appeal Tribunal.

(3) A registered dock worker in the Reserve Pool who is aggrieved by an order of the Administrative Body, made under clause 29 (4) (b), requiring him to undertake any work, which is not of the same category to which he belongs, may prefer an appeal to the Board within fourteen clear days of the date of such order.

40. Suspension of notice in case of certain appeals.—Where an appeal is lodged in accordance with the provisions of clause 38, the Appeal Tribunal may suspend the operation of the order appealed from (except where the order is of dismissal or of disentitlement under clause 35) pending the hearing and disposal of the appeal.

41. Cost of operating the Scheme.—(1) The cost of operating the Scheme shall be defrayed by payments made by registered employers to the Board in the manner following:—

Every registered employer shall pay to the Board—

- (a) such amount, whether by way of percentage on the gross wages payable by him under clause 30(6) or as otherwise agreed, together with and at the same time as the payment of those wages; and
- (b) at the same time as the payment under sub-paragraph (a), such amount whether by way of percentage on the gross wages shown as due to monthly workers in the return made under clause 30 (5) or as otherwise agreed;

as the Board may in either case from time to time notify by public notice.

(2) In determining what payments are to be made by registered employers under paragraph (1) of this clause, the Board may fix different percentages for different categories of work or workers, provided that the percentages shall be so fixed that the like percentages will apply to all dock employers who are in like circumstances.

(3) The Board shall not sanction any levy exceeding fifty percent of gross wages without the prior approval of the Central Government.

(4) A registered employer shall on demand make a payment to the Board by way of deposit, or provide such other security for the purposes of the payment of the gross wages set out in clause 30 (6) and the percentage payments set out in paragraph (1) (a) and (b) of this clause, as the Board may consider necessary.

(5) The Administrative Body shall furnish from time to time to the Board all such statistical and other information as may reasonably be required relating to the operation and finance of the Scheme.

42. Penalties.—A contravention of clause 31 shall be punishable with imprisonment for a period not exceeding three months in respect of a first contravention or six months in respect of a subsequent contravention or with fine not exceeding five hundred Rupees in respect of a first contravention or one thousand Rupees in respect of any subsequent contravention, or with both imprisonment and fine as aforesaid.

THE SCHEDULE

[See clause 2(2)]

Classes or descriptions of dock work and dock workers to which the Scheme applies.

1. Stevedoring work other than coal work.
2. The following categories of stevedore workers:—
 - (I) Foreman (Serang);
 - (II) Tindal;
 - (III) Winchman;
 - (IV) Stevedore worker.

[No. F.A.76(1).]

S. NEELAKANTAM, Dy. Secy.

ORDER

New Delhi, the 3rd March 1952

S.R.O. 432.—Whereas the Central Government is of opinion that an industrial dispute exists between the employer in relation to the Punjab National Bank Limited and its workmen mentioned in Schedules II and III hereto annexed in respect of the matters specified in schedule I;

AND WHEREAS the Central Government considers it desirable to refer the dispute for adjudication,

Now, therefore, in exercise of the powers conferred by section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal at Calcutta constituted under section 7 of the said Act

SCHEDULE I

1. Wrongful dismissal of the workmen mentioned in Schedule II and their re-instatement.
2. In the event of any order for re-instatement, payment of wages and other allowances from the date of dismissal to the date of re-instatement.
3. Wrongful transfer of the workmen mentioned in Schedule III and compensation, if any, to be granted to them.

SCHEDULE II

S. No.	Name of the workman		Department or Branch where employed at the time of dismissal
1	Shri Lukhi Ram	Cashier	Hissar.
2	Shri Jaireshwar Dass	"	Malerkotla.
3	Shri Baj Nath	"	Ferozepore City
4	Shri Radhey Shyam	"	Sonepat.
5	Shri Shiv Nandan Sharma	"	Una.
6	Shri Chanan Lal Puri	Clock	Muktsar.
7	Shri Om Parkash Sharma	"	Hall Bazar Amritsar.
8	Shri B. L. Khanna	"	Julfundui Cantt.
9	Shri Mangat Ram	"	Civil Lines Delhi.
10	Shri Bhawani	Peon	Ch. Chowk Delhi.
11	Shri Thakur Das	"	Darya Ganj Delhi.
12	Shri Ram Loat	"	Karolbagh Delhi.
13	Shri Chandgi Ram	"	Karolbagh Delhi.
14	Shri Chitraranand	"	Law Department, Delhi.
15	Shri Prabhu	Sweeper	Katra Ahluwalia Amritsar.
16	Shri Ghiddu	"	Prop. Deptt. at H.O.
17	Shri Bharti	"	Prop. Deptt. at H.O.

SCHEDULE III

S. No.	Name of the workman		Branch from which transferred	Branch to which transferred
1	Shri Sushil Kumar	Clerk	Hall Bazar Amritsar	Kapurthala.
2	Shri Gulzari Lal	"	do.	Heohiarpur
3	Shri Avtar Singh	"	do.	do.
4	Shri Dev Raj	"	do.	Nawanshahr Goaba
5	Shri Lakshmi Dass	"	Bazaar Kathian Amrit sar.	Barnala.
6	Shri Nand Kishore	"	Taran Taran	Phagwara.
7	Shri Mitha Lal Bansal	"	Sirsa	Pulwal.
8	Shri Bhagwan Dass	"	Rohitak	Khanna.
9	Shri Uday Singh Swini	"	Hissar	Nabha.
10	Shri Bhagwati Pershad Sharma	"	Ch. Chowk Delhi	Daryaganj Delhi and then Muzaffarnagar City.
11	Shri Baldev Ruj Khanna	"	Central Office	Lashkar Gwalior.
12	Shri Manohar Lal	"	Sudar Bazar Delhi	Indore.
13	Shri Chandler Mohan	"	P. Fund H.O. Delhi	Indoro.
14	Shri Ram Narain Kalra	"	S. Mandi Delhi	Blepal.
15	Shri Lukhi Ram	Ass't. Cashier	Hissar	Rupar.
16	Shri Lal Chand	Peon	Ferozepore Cantt.	Narnaul.
17	Shri Wazir Singh	Chowkidar	Ferozepore Cantt.	do.
18	Shri Bhagirath	"	Daryaganj Delhi	Bk. St. Deoband.

[No. LR-90(107).J]

S. MULLICK, Dy. Secy.

